

641 desert view dr.
palm springs CA, 92264

FEE PAID

**IN THE UNITED STATES DISTRICT COURT FOR THE
CENTRAL DISTRICT OF CALIFORNIA EASTERN
DIVISION OF RIVERSIDE**

2024 APR -2 AM 11:12
DISTRICT COURT
CENTRAL DIST. OF CALIF.
RIVERSIDE

FILED

CIVIL ACTION COMPLAINT

CASE No: ED CV 24 - 00688 - PSG (DTBx)

CARLOS ANTONIO LANDEROS

Plaintiff

Vs

**JOE BIDEN U.S. PRESIDENT; MERRICK B.
GARLAND U.S ATTORNEY GENERAL; GEO GROUP
INC.-(aka)-GEO SECURE SERVICES, et al; AND DOES
1 THROUGH 100 INCLUSIVE.**

Defendants

CIVIL ACTION COMPLAINT

**VIOLATIONS TO THE UNITED STATES CONSTITUTION AND BILL
OF RIGHTS; CONSPIRACY TO DEFRAUD THE UNITED STATES;
FRAUD UPON THE COURT; OBSTRUCTION OF JUSTICE;
TORTURE; EXTORTION; SLAVERY; DISCRIMINATION;
EXPLOITATION; KIDNAPPING; INFLICTION OF CRUEL AND
UNUSUAL PUNISHMENT -- ALL THESE CRIMINAL CONDUCT FOR
PURPOSE OF PRIVATE GAIN. JURY TRIAL DEMAND**

CARLOS ANTONIO LANDEROS (Plaintiff), does, hereby, pursuant to his Constitutional Standing ... his right to be free ... his right to protect his life “Appoints” General Services Defensores de los Derechos Humanos & Above A.C.- Dante Damian Villegas Lizalde as his “Lawful” Representative or Attorney In Fact in the process of his “Civil Action” therefore giving a “General Power of Attorney”- (EXHIBIT-1) ... Now complaints and affirms as follows:

PARTIES

1)- Plaintiff’s Attorney In Fact is an International Human Rights Association that protects “immigrants and prisoners” named as General Services Defensores de los Derechso Humanos & Above A. C., with U.S. address at: 2493 Roll Dr. Suite 209-646 San Diego California 92154-7230. Telephone: 210 748 6554 ... E-mail: weforthehrights@gmail.com . This Human Rights Firm was originally established in 2010 in the United States

by Dante Damian Villegas Lizalde its original name was General Services & Above uniting Associates from all over the World. ... The Mexican government did not accepted the Firm's representation to Mexican nationals within the united Mexican states stating that it was a foreigner Firm that has no jurisdiction within the Mexican states therefore in 2020 created in Mexico the Civil Association named as General Services Defensores de los Derechs Humanos & Above A.C. where Dante Damian Villegas Lizalde is the President-(Exhivit-2) with al the Powers to perform in all those countries that form part of the "Convention of the Haya" established at the fifth day of October 1961 ... where the United States of America is a party-therefore General Services Defensores de los Derechos Humanos & Above A.C.- Dante Dammian Villegas Lizalde has jurisdiction to represent the Plaintiff in his Civil Action Complaint hereby presented for proper Due Process of Law. Plaintiff also extended a General Power of Attorney to the Firm and Representatives so there is no questions in their performance on this civil action on hand-(Exhibit-1).

2)- Defendants: President of the United States of America Joe Biden; Attorney General of the United States of America Merrick B. Garland, both, pursuant to Article II of the Constitution of the United States — both are the main responsible to take care that the laws be faithfully

executed, preserve, protect and defend the Constitution of United States — both perform their duties under Oath; GEO Group Inc; Aka GEO Secure Service, et al; CoreCivic, et al; And all others DOES 1 through 100, inclusive, under contract with the United States. . . . the true names, identities, or capacities, whether individual, associate, corporate, or otherwise, of defendants DOES 1 through 100, inclusive, and each DOE in between, are unknown to Plaintiff at this time, and Plaintiff therefore sues said defendants as are ascertained, Plaintiff will ask leave of court to amend the complaint to insert such names, identities, capacities, together with the proper Charging facts.

3)--Plaintiff: Carlos Antonio Landeros ... with an address at: 641 Desert View Palm Springs CA 92264, e-mail: brensebass@gmail.com ... a Mexican national ... an immigrant protected pursuant to the Constitution of the United States, detained by the Department of Homeland Security an agency of the Executive Branch of federal government; after the fact, placed in a private detention center own and guarded by GEO Group Inc; Aka GEO Secure Service; Core Civic, et al; And others; where Immigrants are detained for months and years — under civil proceedings administrated not by an Article III judge but by officers from the Executive Branch of the Federal Government, in violation

to their “International Agreements” therefore suffering discrimination, extortion, torture, exploitation, kidnapping, slavery ... all under infliction of cruel and unusual punishment ... for the sole purpose of private gain. Infra.

NATURE OF ACTION

Carlos Antonio Landeros, the Plaintiff, present this Civil Action Complaint on his behalf because he is and has been suffering this intentional infliction of mental distress for the sole purpose of private gain a conspiracy to defraud the United States — causing injuries not only to him and his family, but to the integrity of the Constitution of the United States, and International Treaty Agreements to wit:

Obstruction of justice; Farud; Manipulation of the immigration administrative proceedings; Violations to the United States criminal codes of title 18, 5 an others — therefore protecting a private industry that has been profiting from the suffering of minorities ... from immigrants that are looking for safety, food, and shelter. This obvious and evident racketeering activity has been going on for long ... long time, under

which tens of thousands of minorities has been placed behind bars (BOP) for the sole purpose of slavery; also, tens of thousands of immigrants placed behind bars under civil proceedings for months and years — in private detention centers that are profiting billions of dollars from such criminal action ... not even children escaped from the criminal claws of private gain, proving facts of this horrific reality hereby, infra, will be presented.

JURISDICTION

The U.S. District Court has Jurisdiction pursuant to the Constitution of the United States Article III Sec. 2; 28 USC-Sec. 1331; 28 USC-Sec. 1346 (b)(1); 28 USC Sec. 1332 (a).

VENUE

VENUE—for this “Civil Action” properly laid in this Judicial District pursuant to, inter alia, 28 USC Sec. 1391 (b), in that all of the events or omissions given rise to the “Claim” for relief asserted herein occurred in this Judicial District.

INJUNCTIVE RELIEF

Plaintiffs facts for **“Injunctive Relief”** are proper pursuant to 28 USC Secs. 2283; 2284; and Rule 65 of the Federal Rules of Civil Procedure.

PRESERVED FACTS

Plaintiff, hereby present, *infra*, jurisdictional parameters for if this **“Civil Action”** become a **“Class Action”** due to the fact that many others are, and have been suffering the same criminal consequences that **Plaintiff** is suffering now, to wit:

Diversity subject matter jurisdiction exists over this class action pursuant to Class Action Fairness Act of 2005, Pub. L. No. 109-2, 119stat, 4 (2005), amending 28USC§1332, at new subsection (d), conferring federal jurisdiction over class actions involving: (a) 100 or more members in the proposed class; (b) Where at least some members of the proposed class have different citizenship from defendants; and (C) Where the claims of

the proposed class members exceed the sum or value of five million dollars (\$5,000,000) in the aggregate. 28USC§§1232(d) (2) and (b).

Or jurisdiction over the subject matter of all claims asserted herein pursuant to 21USC§1232 (a) (1) in that it is a civil action between citizens of different states; This District Court also has jurisdiction under 28USC§1231 because this action arises out of a federal law of the United States — 18USC§§1961, 1962, and others.

The number of class members could be discerned from the records maintained by defendants. . . . While the exact actual damages to plaintiffs and the members of the classes are unknown at this time, plaintiffs reasonably “affirm” that their claims exceed five million dollars (\$5,000,000) in the aggregate.

Jurisdiction is also proper pursuant to 28USC§1367, which provides, in relevant part, that: “*Such supplemental jurisdiction shall include claims that involve the joinder or intervention on additional parties; in any action of which the district courts have original jurisdiction, the district court shall*

have supplemental jurisdiction over all other claims that are so related to claims in the action within such original jurisdiction that they form part of some case or controversy under Article III of the constitution of the U.S., including claims that involve the joinder, or additional parties”.

Additional jurisdiction — pursuant to: 28USC§1346, 1350 and 1357.
(Reserved).

VENUE

Venue for this civil action is properly laid in this juridical district pursuant to, inter alia, 28USC§1391 (b) (2), in that a substantial part of the events or omissions giving rise to the claims for the relief asserted herein occurred in this judicial district.

MATERIAL FACTS

On October 2019, Plaintiff was arrested by officers of the Executive Branch of the Federal Government, after the fact, placed behind bars in a private Institution own and administrated by GEO Group Inc; Aka GEO Secure Service, such Institution is located in Adelanto California,

where Plaintiff was “enslaved” by GEO, the corporation under the consent of the US government ... forced to work in the kitchen for one dollar per day. ... Plaintiff requested for Asylum under Article 3 of the United Nations Convention Against Torture-(CAT)-the Treaty. The government stated that in order to allow Petitioner to file an Application for Asylum and for Withholding of Removal Form: -I 589-he was to be submitted to a Reasonable Ferar Interview with an Asylum Officer. Petitioner then was taken to a private meeting with the so call Asylum Officer where, after being interrogated for several hours, the Application for Asylum-Form I 589- was denied. The Asylum Officer directed Petitioner, if he was not satisfied, to appeal such negative action to the Immigration Judge . . . not an Article III Judge, but an administrative Officer of the Executive Branch of the Federal Government established under Section 3105 of the United States Code of Title 5. . . . Petitioner then had a hearing with the Immigration Judge, an officer of the Executive Branch of Government that only review the same material facts that were established by the Asylum officer, questioning that take place in an antagonist atmosphere, where the immigrant is by himself, without having an understanding of the law, and the majority of the time not even understanding of the language, according with the government the

immigrant has a right to a legal consul but not on the government expense, so much for the Bill of Rights from a country that preaches democracy around the World, of course, the access to the Application Form- I 589 most of the time is denied, such it was the case with the Plaintiff's immigration administrated due process. But the worse part is to begin, in fact . . . part of the, supra, immigration administrative process is consider to be part of the "Due Process" that it is guarantied by the Bill of Rights . . . and such fact is not truth, due to the fact that the immigrants does not have constitutional rights at all . . . all the immigration administrative process given to immigrants is a farce ... a fraud, mounted for the sole purpose of private gain, to wit:

Plaintiff was taken to a private mitting without counsel, without having an understanding of his constitutional rights, this action, supra, was his first Due Process violation; . . . his second violation took place within the immigration administrative hearing with an Officer of the Executive Branch of the Federal Government established under Section 3105 of the United States Code of Title 5 ... both hearings under a dominated atmosphere resulting in coercion or duress a conduct that constitutes the improper use of power to compel immigrants to submit to their wishes

therefore . . . the suffering ... mental distress . . . in fact no body knows the wonders of the mind and how painful can be . . . but this infliction of mental distress is real, to wit: Plaintiff on November 29, 2019 sent his “appeal” to the Board of Immigration Appeals (BIA), received by the BIA on December 9, 2019-(Exhibit-3)- but Plaintiff on December 28, 2029 received his Notice of Appeal back, rejected by the BIA because Plaintiff did not included the Fee Waiver Request Form, this action, of course, was done in spite of the fact that Plaintiff on his appeal included a letter directed to the Clerk of the BIA where Plaintiff advised the Clerk to take notice of the fact that the Forms for Appeal and the Waiver Form EOIR-26A were not available in the Detention Center, and due to the fat that the time for submitting the “notice of appeal” does not stop, and those Forms requirements are used by the BIA to deny the immigrants’ appeals for their failure to comply, to wit:

Clerk of the Court, good day, attached please find my “Notice of Appeal”, please can you docket it and send me a copy of the same after has been stamped, as well as the Form EOIR-26-A for my fee waiver request, unfortunately here in this detention center we do not have access to such forms, and your office does not accept our premade forms requests, if you file any form that it is not the official-one ... so please send me a copy of the

notice of appeal -EOIR-26-which I had borrowed from an inmate -as well the above request- thank you for your services and understanding.-(Exhibit-3).

Of course this request did not mater the Clerk still sent back the Notice of Appeal- stating that the Appeal was rejected due to the fact that Plaintiff did not included: "The required fee of \$110.00 or Fee Waiver Request Form (Form EOIR-26-A) was not included". (Exhibit-4). Plaintiff was able to find the Form for the Fee Waiver with an other immigrant, then sending again his Notice of Appeal to the BIA, unfortunately the BIA again rejected the Notice of Appeal this time arguing that:

"This notice is to inform you that the appeal received by the Board of immigration Appeals in the above-referenced case on 1/10/2020 is being rejected for the following reasons: The Board does not have the authority to review reasonable fear determinations made by an Immigration Judge. See 8 C.F.R. Sec. 1208.31 (g)(1). However, you may file a petition for review within 30 days of the immigration Judge's reasonable fear determination with the appropriate count of appeals. See section 242 of the Immigration and Nationality Act, 8 U.S.C. Sec. 1252". (Exhibit-5).

This justification, supra, is nothing but a fraud, an obstruction of justice for the sole purpose of private gain, to wit: Within the Plaintiff's "Notice of Appeal"-Form EOIR-26 second page Plaintiff stated the following:

"Take Notice" that I am not appealing the Reasonable Fear -8 CFR Sec. 1208.31 (a)(1) or the Credible Fear- 8CFR Sec. 1208.30 (a)(2)(iv)(A), but a violation to my constitutional right- Sixth Amendment that took place within the interview-deposition with the government. Within my brief I will present the supporting material facts for the substantiation of such constitutional violation". (Exhibit-6).

So the rejection of Plaintiff's Notice of Appeal was due to the fact that the BIA does not have the authority to review reasonable fear determinations made by an Immigration Judge, but Plaintiff did not appealed such fact but a violation to his constitutional rights ... Sixth Amendment, of course, in spite of such fact did not matter the BIA have to protect the private gain after all they are ignorant Immigrants that whatever they do no body cares. Of course, none of these "Notifications" were signed by the BIA Clerks or anybody else, see the Exhibits 3, 4, and 5, supra. Also within the BIA's notice of the rejection of Plaintiff's appeal you can find an other form of torture due to the fact that the Clerk states the following:

“We have returned your appeal and all attachments to you for timely correction of the defects. THIS DOES NOT EXTEND THE ORIGINAL STRICT 30-DAY TIME LIMIT within which you must file your appeal”. (Exhibit-4).

The problem is that takes over ten days for the correspondence to be delivered to you ... and there is nothing you can do, is totally out of your hands ... so just an other form to deport you for your failure to comply. This Behavior in nothing but torture, “cruel and unusual punishment” for the sole purpose of private gain that is taken place in those private detention centers where tens of thousands of immigrants are suffering the same consequences. . . . This is the situation that Immigrants face due to the fact that they have no legal counsel, and the corrupted behavior of the government’s officials ... the government, of course, wash their hands by offering a List of Pro Bono Legal Service Providers-(Exhibit-7), that, of course, are not for profit organizations that receive money from the government to perform such task, which in fact such organizations claim not to have money or personnel to help the needs of the immigrants therefore they do what they can ... which is nothing. On tap of this catastrophic fact the Immigrants are force to work, this is in spite of the

fact that the Immigrants are arrested because they are illegal aliens therefore they cannot work within the united states, but these private Institution where Immigrants are placed they have to work for “ONE DOLLAR” per day-(Exhibit-8), this action, of course, is slavery . . . this was what Plaintiff suffered for 8 months in such detention center of Adelanto California managed by GEO Secure Service. ... Before Plaintiff continue with his complaint he will prove based on the constitution and congressional law that after Immigrants are placed in those detention centers are enslaved, regardless if they consent, to wit:

Under the U.S. Constitution Amendment XIII Section One:

“Neither slavery nor involuntary servitude, except as a punishment for crime whereof the party shall have been duly convicted, shall exist within the United States, or any place subject to their jurisdiction”.

If an Immigrant has been detained and placed behind bars not for a crime committed but for administrative civil procedure for being an illegal alien, but forced the illegal alien to work for ONE DOLLAR PER DAY ... as part of the government, or private corporation will, does this action represent an act of slavery?

According to the Constitution Amendment XIII ... it is a fact. “Neither slavery nor involuntary servitude except as punishment for a crime whereof the party shall have been duly convicted”. ... **Neither the illegal alien have been sentenced to work, nor have been duly convicted, in fact is placed behind bars due to the fact that it is not allowed to work within the United States.**

Also under Title 42 USCA Sec. 1994 states:

“Any statute, resolution, regulation, ordinance, or use of any territory or State designed or operating to establish, maintain, or enforce, directly or indirectly, the voluntary or involuntary, service or labor of any persons as peons, in liquidation of any debt or obligation, or otherwise, shall be null and void”.

So there is no other way to view this illegal alien work performance other then SLAVERY. ... The worst part about it is that the illegal alien is enslaved by a private corporation under the consent of the U.S. Government.

Now returning to the Board of Immigration Appeals (BIA): After the BIA returned, for the second time, Plaintiff’s Notice of Appeal, Plaintiff sent

on January 21, 2020 a “Notice”, named as: “Opportunity to Correct Legal Wrong Under Official Proceedings From Under Oath Officers: 5 USC Sec. 702; 18 USC Sec. 1515; 5 USC Sec. 3331—“Others”. ... Where Plaintiff denounced such corrupted behavior, but the public servants did not care, regardless of the facts on the complaint they sent back the “Legal Documents Under Official Proceedings-18 USC Sec. 1515”- back without making a single statement ... just sent back, for the third time, to wit:

U.S. Department of Justice
 Executive Office For Immigration Review
 Board of Immigration Appeals

Landero Lopez Carlos
 Appellant

A034 266469

V

Attorney General William Barr
 Respondent

Notice: Opportunity to Correct
 Legal Wrong Under Official
 Proceedings - From Under Oath
 Officers: 5 USC § 702; 18 USC § 1515;
 5 USC § 3331 - "others"

Now Come, Landeros Lopez Carlos (Appellant), pro se, hereby pursuant to his constitutional standing does move before this immigration administrative court of appeals respectfully requesting the review of the, infra, material facts and pursuant to such stated facts allowed him to proceed with his hereby requested administrative appeal ... appeal that has been, twice, rejected not for legal valid reasons, but for a clear abuse of discretion, in violation of your administrative oath - Title 5 USC § 3331 ... causing injuries defined as "Legal Wrong" - 5 USC § 702 ... and "obstruction of justice" - 18 USC § 1515 - on this "official proceedings". ... Therefore this Motion is a formal 535(b)-NOTICE ... 28 USC § 535(b).; And an "Opportunity to Correct" - "Legal Wrong", to wit:

Appellant had a Reasonable Fear Interview so he can be allowed to file an Application for Withholding of Removal under the Immigration and Nationality Act - §241(b)(2), and protection under Article 3 of the United Nations Convention Against Torture. . . . The government under the review found Appellant not to be Credible. Appellant in fact was not able to explain his horrific dilemma he had suffered in Mexico due to the fact that the asylum officer exercised too much pressure on Landeros-Appellant - in fact after 30 or 40 minutes of questioning Appellant stated:

"Christopher, I am beginning to feel uncomfortable I will need a lawyer. Everything that I have said is the truth. . . . The asylum officer replied: "Sir, I apologize. You did sign the Attorney Waiver Form. My role is to ensure that you feel comfortable. Allow me to contact my Supervisor? . . . See Exhibit-A

The asylum officer-Christopher- left the room for about 20 minutes -after he came back he persuaded Appellant to continue without an Attorney - stating that the interview was his only chance, that he will not have another chance due to the fact that he had signed the Attorney Waiver Form. So Appellant was in fact coerced to continue -

(2-of-10)

without the Attorney. ... Unfortunately Appellant did not feel comfortable to narrate his horrific dilemma. After the interview with the asylum officer, about two weeks later, Appellant was interviewed again, only for the result of the interview with the asylum officer, stating that it was negative, that if Appellant was going to file an appeal - appellant agreed. Unfortunately, again, at the court hearing Appellant felt pressure, he felt not comfortable therefore he only answered the judge's questions and made some statements not relevant to his real dilemma. - Appellant in fact, at his court hearing he did not request to be represented by an Attorney due to the fact that he believed that after signing the Attorney Waiver Form he had no Attorney right.

The fact is that Appellant had and has the right to have an Attorney present for his reasonable fear interview - See *Zuniga V William P Barr* - 16-72982 (9th Cir. 2019).

Appellant on Nov. 29, 2019 sent to The Board of Immigration Appeals (BIA) his appeal notice, received by the BIA on Dec. 9, 2019. ... On Dec. 28, 2019 he received his - notice of appeal back - rejected by the BIA because Appellant did not include the Fee Waiver Request Form. See Exhibit-C In fact, when I sent the notice of appeal - I notified your office that I did not had -

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access to such form to please sent the Fee Waiver Form - EOIR-26A to me so I can comply - arguing that in the institution where I was incarcerated it was prohibited to have those official forms with us. See Exhibit - B. So Appellant found a Fee Waiver Form from an other inmate, due to the fact that the BIA staff rejected my appeal notice without the requested Form - Fee waiver - EOIR-26A. So on Dec. 27, 2019 I sent, again, my "Notice of Appeal" received by your office on January 10, 2020. Again on January 21, 2020 Appellant received back his Notice of Appeal, rejected by the BIA staff, according to them - due to the fact that "the Board does not have the authority to review reasonable fear determinations made by an Immigration Judge". See Exhibit-D, Appellant has an understanding of such fact therefore on his Notice of Appeal page 2, he gave notice of such fact, to wit:

"First and most important 'take notice' that I am not appealing the Reasonable Fear 8 CFR §1208.31 (a)(i) nor the Credible Fear - 8 CFR §1208.30 (a)(3) (iv) (A), but a violation to my Constitutional right - Sixth Amendment that took place within the interview-deposition with the government. Within my Brief I will present the supporting materials facts for the substantiation of such Constitutional violation". Id. at p. 2 - Notice of Appeal.

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Of course, such notification was ignored ... why? Due to the fact that the abuse of discretion from government officers is a common practice — some of them think that they are absolute.

As Appellant stated elsewhere, to wit: "The United States of America has the most remarkable justice system in the world, unfortunately the evils of misfortune has taken control of the same, causing therefore irreparable injuries to — minorities who has no money nor legal understanding, but they have to represent themselves due to the fact that the government refuse to adhere to constitutional parameters. The fact is that the United States of America a country that preaches democracy around the world, has entered into many international agreements — such as the ... "Protection Under Article 3 of the Convention Against Torture". Under the U.S. Constitution Article VI — "all treaties made under the authority of the United States shall be the supreme law of the land". ... So based on this fact it is Appellant's right that such administrative proceedings not be treated as privilege but as a right that require all the protections offered by the Due Process Clause. ... In fact the United States Constitution and Bill of Rights were created to protect the People's life, liberty, and property ... from who? From government

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Intrusion. And what happen? Government by interpretation has taken control of the Peoples' precious rights. Now some government officers lost their integrity, their virtue and most important their purpose.... No immigrant stands a chance, most of them are being discriminated, mistreated, their rights violated, proving Fact is found on this case on hand where Appellant does not have access to the administrative court, nor to their official forms that are require for such process; this infliction of mental distress-torture is the due process for immigrants on search of life, liberty, and pursuit of - happiness.

"Facts"

This "Memorandum of Record" is presented as evidence in an official proceedings-18 USC § 1515; cover under Title 28 USC § 535 (b) - Notice of Complaint - tampering with Official Proceedings; and Title 5 USC § 301. ... Inclusive with Facts presented is offer of "Opportunity To Correct" continued harm and injury to Appellant - under detention by DOD, DHS; ICE; GEO - others.

Department of Homeland Security and all executive - branch agents of the Federal government are governed by

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The Administrative Procedures Act of 1946 (APA), found at Title 5 USC § 301 is the "well head" founding all DHS Policy pursuant to Codes of Federal Regulations Titles - The A.P.A. governs all administrative process implemented by any executive branch agency. Section 556(d) of Title 5 USC, the codified form of the A.P.A. requires all agencies to carry the burden of proof as to the promulgation, application or enforcement of said agency's policy. There is no record establishing evidence leading any common person to believe that the Board of Immigration Appeals (BIA) could have power to impede any persons administrative appeals in violation of Due Process. ...

Appeals are an important "tool" to alleviate administrative misconduct ... "rejecting appeals" based on presumptions is a "legal wrong" - 5 USC § 702 - an invasion of legally protected right - in a clear violation on the impartiality of the - independent "hearing examiners" - 5 USC § 3105 - which are the heart and soul of the Administrative Procedure Act. - In fact the immigration court's Clerk's denying access to the administrative law judge is a clear "obstruction of justice" - the Clerk stated that: "The Board does not have the authority to review reasonable fear determinations made by an Immigration Judge. See 8 CFR § 1208.31 (g)(1). However, you may file a petition for review within 30 days of the Immigration Judge's reasonable fear determination within the appropriate court of appeals. See

(7-0f-10)

section 242 of the Immigration and Nationality Act 8 USC § 1252".
 See Exhibit - D. The fact is that the courts were not authorized to interfere with agencies in absence of procedural error, or - misconstruction of governing laws or arbitrary or capricious action. ... The immigration Judge from the Board of Appeals have a "duty" to review the "notice of appeal" and make a - determination based on facts stated in the appeal application. Appellant stated that: "he was not appealing the reasonable fear - nor the credible fear, but a constitutional violation - to his Sixth Amendment". ... Id. at p 2 - of the appeal application. ... The Clerk, of course, ignored such fact, causing therefore the obstruction of justice - a criminal violation - 18 USC § 1515. ... and its "Oath of Office" - 5 USC § 3331.

This, of course, is a blatant trespass upon the Bill of Rights, violations of United States Code, Code of Federal Regulations, and breach of oath, rising to the level of sedition against the United States.

The D.H.S., ICE, staff know, because they are paid to know, that professional standards set a minimum coefficient for duties in compliance with the Bill of Rights, Articles in Amendment. ... See Title 5 CFR § 2634 Subchapter - B - Government Ethics; Title 28 CFR Part 15 - Employee - Responsibilities; Title 5 CFR § 735.203 - Conduct Prejudicial to the government.

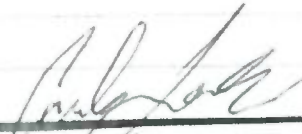
(8-of-10)

Error or mistake, when noticed, must be corrected by prompt mitigating action. Failure to respond will be construed as intentional, knowing, harm, directed towards me, for private gain under contracted duties bound by "Oath".

Be advised that if no prompt remedy is issued Appellant may proceed directly to judicial remedy pursuant to Title 5 USC 5552a (4), 702 thru 706 and the 1974 Privacy Act.

Therefore, Appellant, pursuant to his constitutional standing respectfully request that the attached Notice of Appeal be immediately filed.

Executed this 21 day of January 2020



Landeros Lopez Carlos
A034 266 169 W2 D 105 1U
Adelanto Detention Center
10400 Rancho Road
Adelanto CA 92301

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"Certificate of Service"

I, Petitioner certify that on January 27, 2020 I sent a copy of the foregoing via first class mail to the following government officials, to wit:

William Pelham Barr
U.S. Department of Justice
950 Pennsylvania Ave., NW
Washington, D.C. 20530-0001

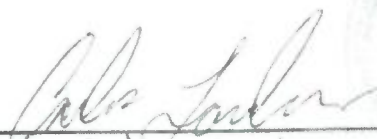
Attorney General

DOJ - U.S. Department of Justice
Civil Division Office of Immigration Litigation
P.O. Box 878, Ben Franklin Station
Washington, DC 20044

Office of Immigration Litigation

Department of Homeland Security
10400 Rancho Road
Adelanto, CA 92301

Office of the Chief Counsel



Carlos Antonio Landeros Lopez
034 266 469 W2 D 105 1U
Adelanto Detention Center
Adelanto California

(10-05-10)

NOTICE OF APPEAL

FORMS AND EXHIBITS SENT

THREE TIMES TO THE BOARD

OF IMMIGRATION APPEALS

AND THREE TIMES REJECTED

BY THEM IN VIOLATION OF

TITLE 18 USC Sec. 1515, AND

OTHERS.

Carlos Landeros pursuant to his constitutional standing and Title 28 USC Sec. 535 (b)-Formal Notice, move three times before the Board of Immigration Appeals respectfully requesting the review of the “Legal Material Facts” and pursuant to such “Legal Material Facts” allowed him to proceed with his requested administrative appeal, appeal that was three times rejected not for any valid reason other than a clear abuse of discretion in violation of their “Oath for performance-Title 5 USC Sec. 3331; therefore causing “Injuries” defined as “Legal Wrong”- Title 5 USC Sec. 702; a clear “Obstruction of Justice” on the “Official Proceedings”-Title 18 USC Sec. 1515—Fraud upon “Official Proceedings” ... Causing irreparable injuries to vulnerable minorities for the sole purpose of “Private Gain” ... vulnerable minorities that are placed under slavery by a private “Corporations”-

**GEO Group Inc; Aka GEO Secure Service, et al;
CoreCivic, et al; “Under Consent” of the United States
Government, supra ... where Plaintiff was and still is
under such criminal conduct. The “Material Facts” are
clear upon the “Record”, supra, infra, therefore hereby
Plaintiff respectfully request for “Justice” ... so the facts
can be properly evaluated therefore confirm with the
complaining violations to the integrity of the
administration of the United States causing therefore
irreparable injuries to vulnerable people in search of
dignity ... compassion ... well being, to wit:**

U.S. Department of Justice
Executive Office for Immigration Review
Board of Immigration Appeals

OMB# 1125-0002

**Notice of Appeal from a Decision of an
Immigration Judge**

1. List Name(s) and "A" Number(s) of all Respondent(s)/Applicant(s):

Landeros Lopez, Carlos Antonio
Case# A034 266 469

Staple Check or Money Order Here. Include Name(s) and
"A" Number(s) on the face of the check or money order.

! WARNING: Names and "A" Numbers of **everyone** appealing the Immigration Judge's decision must be written in item #1. The names and "A" numbers listed will be the only ones considered to be the subjects of the appeal.

For Official Use Only

RECEIVED
DEPARTMENT OF JUSTICE
EXECUTIVE OFFICE FOR
IMMIGRATION REVIEW
2020 JAN 10 AM 8:35
OFFICE OF THE CLERK

RECEIVED
DEPARTMENT OF JUSTICE
EXECUTIVE OFFICE FOR
IMMIGRATION REVIEW
2019 DEC -9 AM 3:23
OFFICE OF THE CLERK

2. I am ☒ the Respondent/Applicant ☐ DHS-ICE (Mark only one box.)
3. I am ☒ DETAINED ☐ NOT DETAINED (Mark only one box.)
4. My last hearing was at Immigration Court 10250 Rancho Rd. Alhambra California (Location, City, State)

5. What decision are you appealing?

Mark only one box below. If you want to appeal more than one decision, you must use more than one Notice of Appeal (Form EOIR-26).

- ☒ I am filing an appeal from the Immigration Judge's decision in **merits** proceedings (example: removal, deportation, exclusion, asylum, etc.) dated November 7th, 2019
- ☐ I am filing an appeal from the Immigration Judge's decision in **bond** proceedings dated _____ (For DHS use only: Did DHS invoke the automatic stay provision before the Immigration Court? ☐ Yes. ☐ No.)
- ☐ I am filing an appeal from the Immigration Judge's decision **denying a motion to reopen or a motion to reconsider** dated _____

(Please attach a copy of the Immigration Judge's decision that you are appealing.)

Form EOIR-26
Revised Oct. 2016

6. State in detail the reason(s) for this appeal. Please refer to the General Instructions at item F for further guidance. You are not limited to the space provided below; use more sheets of paper if necessary. Write your name(s) and "A" number(s) on every sheet.

First and most important take notice that I am not appealing the Reasonable Fear-8 CFR § 1208.31(a)(2) or the Credible Fear-8 CFR § 1208.30(a)(2)(iv)(A), but a violation to my Constitutional right-Sixth Amendment that took place within the interview-deposition with the government. Within my brief I will present the supporting material facts for the substantiation of such constitutional violation.

(Attach additional sheets if necessary)

! WARNING: You must clearly explain the specific facts and law on which you base your appeal of the Immigration Judge's decision. The Board may summarily dismiss your appeal if it cannot tell from this Notice of Appeal, or any statements attached to this Notice of Appeal, why you are appealing.

7. Do you desire oral argument before the Board of Immigration Appeals? ☐ Yes ☐ No
8. Do you intend to file a separate written brief or statement after filing this Notice of Appeal? ☒ Yes ☐ No

! WARNING: If you mark "Yes" in item #7, you should also include in your statement above why you believe your case warrants review by a three-member panel. The Board ordinarily will not grant a request for oral argument unless you also file a brief.

If you mark "Yes" in item #8, you will be expected to file a written brief or statement after you receive a briefing schedule from the Board. The Board may summarily dismiss your appeal if you do not file a brief or statement within the time set in the briefing schedule.

9.

Sign Here →

X

Carlos Lopez
Signature of Person Appealing
(or attorney or representative)

11-29-2019

Date
2020 JAN 10 AM 8:35
Form EOIR-26
Revised Sept. 2019

10.

Mailing Address of Respondent(s)/Applicant(s)

Londres Lopez Carlos Antonio
(Name)

Adelanto ICE Detention Center
(Street Address)

10400 Rancho Road-W2-D-105-10
(Apartment or Room Number)

Adelanto CA 92301
(City, State, Zip Code)

(Telephone Number)

11.

Mailing Address of Attorney or Representative for the Respondent(s)/Applicant(s)

(Name)

(Street Address)

(Suite or Room Number)

(City, State, Zip Code)

(Telephone Number)

NOTE: You must notify the Board within five (5) working days if you move to a new address or change your telephone number. You must use the Change of Address Form/Board of Immigration Appeals (Form EOIR-33/BIA).

NOTE: If an attorney or representative signs this appeal for you, he or she must file with this appeal, a Notice of Entry of Appearance as Attorney or Representative Before the Board of Immigration Appeals (Form EOIR-27).

12.

PROOF OF SERVICE (You Must Complete This)

I Londres Lopez Carlos Antonio mailed or delivered a copy of this Notice of Appeal
(Name)

on November 29, 2019 to ICE Litigation Adelanto California
(Date) (Opposing Party)

at 10400 Rancho Road Adelanto CA 92301
(Number and Street, City, State, Zip Code)



X Carlos A Londres
Signature

NOTE: If you are the Respondent or Applicant, the "Opposing Party" is the Assistant Chief Counsel of DHS - ICE.

WARNING: If you do not complete this section properly, your appeal will be rejected or dismissed.

WARNING: If you do not attach the fee or a completed Fee Waiver Request (Form EOIR-26A) to this appeal, your appeal may be rejected or dismissed.

HAVE YOU?

- ☒ Read all of the General Instructions
- ☐ Provided all of the requested information
- ☒ Completed this form in English
- ☐ Provided a certified English translation for all non-English attachments
- ☒ Signed the form

- ☒ Served a copy of this form and all attachments on the opposing party
- ☒ Completed and signed the Proof of Service
- ☐ Attached the required fee or Fee Waiver Request
- ☐ If represented by attorney or representative, attach a completed and signed EOIR-27

U.S. Department of Justice
Executive Office for Immigration Review
Board of Immigration Appeals

OMB# 1125-0003

Fee Waiver Request

Landero Lopez Carlos Antonio
Name:

034 266 469
Alien Number ("A" Number):

If more than one alien is included in your appeal or motion, only the lead alien need file this form. This form is to be signed by the alien, not the alien's attorney or representative of record.

I, Landero Lopez Carlos Antonio, declare under penalty of perjury, pursuant to 28 U.S.C. section 1746, that I am the person above and that I am unable to pay the fee. I believe that my appeal/motion is valid, and I declare that the following information is true and correct to the best of my knowledge:

Assets

Wages, Salary \$ None /month

Other Income None /month
(business, professional services,
self-employed/independent contracting,
rental payments, etc.)

Cash None

Checking and/or Savings None

Property None
(real estate, automobile(s),
stocks, bonds, etc.)

Other Financial Support None /month
(public assistance, alimony,
child support, gift, parent,
spouse, other family members, etc.)

Expenses (including dependents)

Housing \$ None /month
(rent, mortgage, etc.)

Food None /month

Medical/Health None /month

Utilities None /month
(phone, electric, gas,
water, etc.)

Transportation None /month

Debts, Liabilities ?? /month

Other ?? /month
(specify)

Under the Paperwork Reduction Act, a person is not required to respond to a collection of information unless it displays a valid OMB control number. We try to create forms and instructions that are accurate, can be easily understood, and which impose the least possible burden on you to provide us with information. The estimated average time to complete this form is one (1) hour. If you have comments regarding the accuracy of this estimate, or suggestions for making this form simpler, you can write to the Executive Office for Immigration Review, Office of the General Counsel, 5107 Leesburg Pike, Suite 2600, Falls Church, Virginia 22041.

Carlos Lopez
Signature of Alien

Dec. 27, 2019
Date

Privacy Act Notice

The information on this form is requested to determine if you have established eligibility for the fee waiver you are seeking. The legal right to ask for this information is located at 8 C.F.R. § 1003.8(a)(3). EOIR may provide this information to other Government agencies. Failure to provide this information may result in denial of your request.

Form EOIR-25A
July 2011

EXHIBIT-A

Exhibit - A

Alien Number: D1426469

Date of birth: 3/28/1995

Name: Carlos LANDRÉS LOPEZ

Country: Mexico

Location of Applicant: Asylum ICE Processing Center

AO C Form 214748

A: Yes

Q: What makes you believe that it was intended to inflict severe pain or suffering?

A: He slapped me hard.

Q: What do you believe will happen to you if you return to country?

A: the only ppl that I associate are is my cousin, and I think he moved from Mexicali he moved to Tijuana I don't have have any contacts over there.

Q: Sir, specifically What do you believe will happen to you if you return to country?

A: I will be in the streets homeless and hungry or dead.

Q: Who will do this to you?

A: I will go to a neighborhood and over there is just bad drug ppl.

Q: Why will they do this to you?

A: IDK that is just the way that they are.

Q: Specifically, what makes you believe that you will be dead by the drug ppl if you return to your country?

A: I will be very depressed and I will relapse and hang out with the wrong ppl.

Q: How will the drug know you returned to your country?

A: well if I return to Mexicali I will roll around there and I am bound to ppl.

↓
 Applicant: Christopher, I am beginning to feel uncomfortable I will need a lawyer. Everything that I have said is the truth.
 Officer: Sir, I apologize. You did sign the Atty. Waiver Form. My role is to ensure that you feel comfortable. Allow me to contact my Supervisor.

Applicant: Let's just do this. I am telling the truth I just don't want to incriminate myself.

Note: SAO Blatt indicated the applicant felt comfortable and the atty. waiver is signed- continues.

Q: Do you feel comfortable proceeding with the interview?

A: Yeah.

Q: Could you relocate and live safely in another part of Mexico?

A: I doubt it.

Q: Why not?

A: I lived my whole life over here and I am not willing to go there.

Q: Have you ever been threatened or harmed for any other reason?

A: NO.

In Mexico, in the past:

Q: Have you been threatened or harmed because of your race or ethnicity?

A: yes.

Q: When were you threatened or harmed?

A: back in the 1990s.

Q: What happened?

A: I had a friend that was homosexual and I was hanging around with a friend that was bisexual.

Q: So, specifically, how have you been threatened or harmed because of your race or ethnicity?

A: Oh, no.

Q: Have you been threatened or harmed because of your religion?

A: no.

EXHIBIT-B

Exhibit - B

Landeros Lopez Carlos Antonio
 AD34 266469-W2D-105-1U
 Adelanto ICE Detention Center
 10400 Rancho Road
 Adelanto CA 92301

Nov. 27, 2019

U.S. Department of Justice
 Executive Office for Immigration Review

2019 DEC -9 AM 3:23
 RECEIVED
 OFFICE OF THE CLERK
 U.S. DEPT. OF JUSTICE
 EXECUTIVE OFFICE FOR IMMIGRATION REVIEW

Clerks of the Court, good day, attached please find my 'Notice of Appeal', please can you docket it and send me a copy of the same after has been stamped, as well as the Form EOIR-26A for my fee waiver request, unfortunately here in this detention center we do not have access to such forms, and your office does not accept our premade forms' requests, if we filed any form that it is not the official one ~~the~~ your court will be returned unfile... so please send me a copy of the Notice of Appeal - EOIR-26 - which I had borrowed from an inmate - as well the above request - thank you for your services and understanding.

Carlos A Landeros
 Landeros Lopez Carlos Antonio

EXHIBIT-C



U.S. Department of Justice

Executive Office for Immigration Review

Board of Immigration Appeals
Office of the Clerk

Exhibit - C

5107 Leesburg Pike, Suite 2000
Falls Church, Virginia 22041

LANDEROS LOPEZ, CARLOS ANTONIO
A034-266-469
DHS CUSTODIAL OFFICER
10400 RANCHO RD
ADELANTO, CA 92301

DHS/ICE - Office of Chief Counsel
10400 Rancho Road
Adelanto, CA 92301

2020 JAN 10 AM 8:35

Name: LANDEROS LOPEZ, CARLOS ANTONIO

A 034-266-469

Type of Proceeding: Reasonable Fear Case

Date of this notice: 12/18/2019

Type of Appeal:

Filed By:

REJECTION OF APPEAL

This notice is to inform you that the appeal received by the Board of Immigration Appeals in the above-referenced case on 12/9/2019 is being rejected for the following reason(s):

- o The required fee of \$110.00 or Fee Waiver Request form (Form EOIR-26-A) was not included.

PLEASE NOTE

If you correct and resubmit this appeal, YOU MUST ATTACH THIS REJECTION NOTICE to your submission.

We have returned your appeal and all attachments to you for timely correction of the defect(s). THIS DOES NOT EXTEND THE ORIGINAL STRICT 30-DAY TIME LIMIT within which you must file your appeal. Where a stay attaches to the filing of an appeal, there is no automatic stay of deportation beyond the 30-day limit unless an appeal is properly filed at the Board.

Your appeal must be RECEIVED at the Clerk's Office at the Board of Immigration Appeals within the prescribed time limits. It is NOT sufficient simply to mail the appeal and assume your appeal will arrive on time. We strongly urge the use of an overnight courier service to ensure the timely filing of your appeal.

Any corrected appeal resubmitted after the 30-day time limit should be filed within 15 days of this notice and should include a request that the Board accept the appeal by certification. The Board will consider whether to certify each request in the exercise of discretion.

FILING INSTRUCTIONS

Use of an over-night courier service is strongly encouraged to ensure timely filing.

EXHIBIT-D



U.S. Department of Justice *Exhibit-D*

Executive Office for Immigration Review

*Board of Immigration Appeals
Office of the Clerk*

*5107 Leesburg Pike Suite 2000
Falls Church Virginia 22041*

LANDEROS LOPEZ, CARLOS ANTONIO
A034-266-469
DHS CUSTODIAL OFFICER
10400 RANCHO RD
ADELANTO, CA 92301

DHS/ICE - Office of Chief Counsel
10400 Rancho Road
Adelanto, CA 92301

Name: LANDEROS LOPEZ, CARLOS ANTONIO

A 034-266-469

Date of this notice: 1/16/2020

REJECTION OF APPEAL

This notice is to inform you that the appeal received by the Board of Immigration Appeals in the above-referenced case on 1/10/2020 is being rejected for the following reason:

o Case Appeal in IJ RFR determination

The Board does not have the authority to review reasonable fear determinations made by an Immigration Judge. See 8 C.F.R. § 1208.31(g)(1). However, you may file a petition for review within 30 days of the Immigration Judge's reasonable fear determination with the appropriate count of appeals. See section 242 of the Immigration and Nationality Act, 8 U.S.C. § 1252.

cc:

Userteam

If you have any questions about how to file something at the Board, you should review the Board's Practice Manual at www.justice.gov/eoir.

Proof of service on the opposing party at the address above is required for ALL submissions to the Board of Immigration Appeals -- including correspondence, forms, briefs, motions, and other documents. If you are the Respondent or Applicant, the "Opposing Party" is the District Counsel for the DHS or the Director of HHS/ORR at the address shown above. Your certificate of service must clearly identify the document sent to the opposing party, the opposing party's name and address, and the date it was sent to them. Any submission filed with the Board without a certificate of service on the opposing party will be rejected.

FILING ADDRESS:

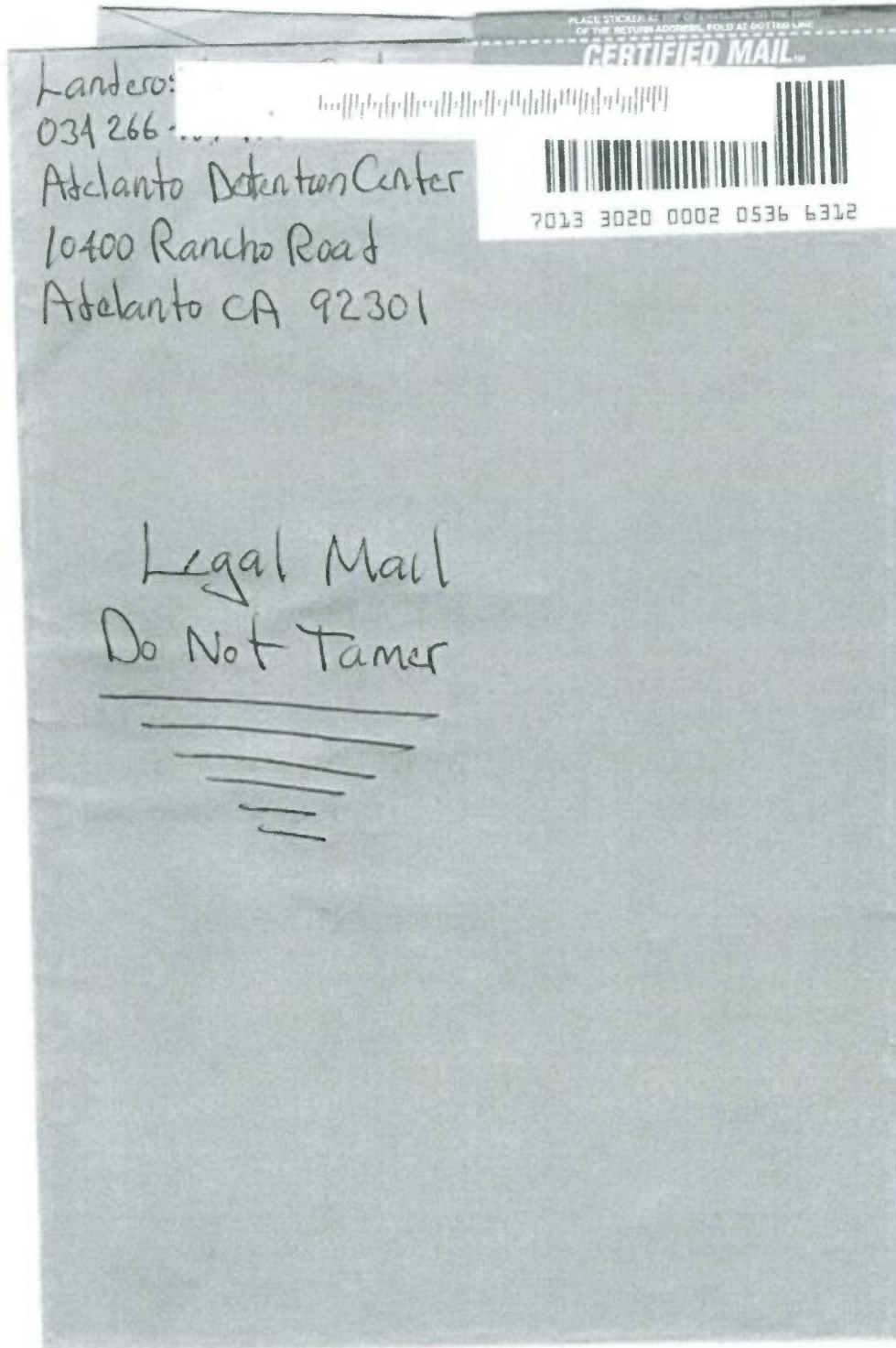
Board of Immigration Appeals
Clerk's Office
5107 Leesburg Pike, Suite 2000
Falls Church, VA 22041

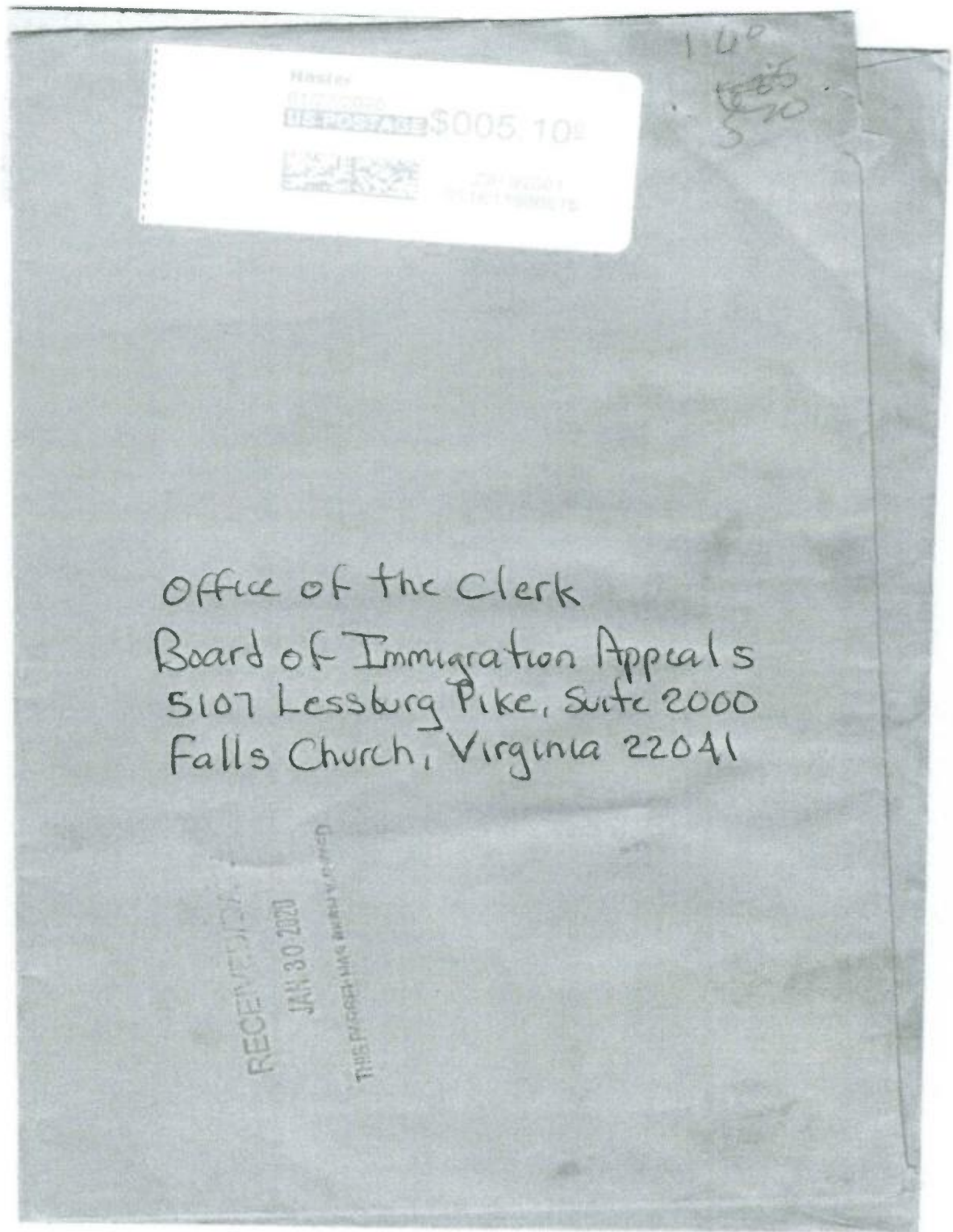
Business hours: Monday through Friday, 8:00 a.m. to 4:30 p.m.

Use of an overnight courier service is strongly encouraged to ensure timely filing.

Userteam:

2020 JAN 10 AM 8:35
U.S. DEPARTMENT OF JUSTICE
EXECUTIVE SECRETARIAT
OFFICE OF THE CLERK





The fact is that the BIA did not accepted Plaintiff's "Notice of Appeal" therefore Plaintiff did not had other alternative but to Petition the United States Court of Appeals for the Ninth Circuit- -Case No. 19-72855. In spite of the fact that the government on January 07, 2020, presented to the Court of Appeals its "Opposition to Petitioner's Motion to Stay Removal", the Court of Appeals on February 28, 2020, issued an Order granting the Motion to proceed in Forma Pauperis; denying the Motion for appointment of counsel; and granting the Motion for stay of removal. Petitioner after that fact issued an Emergency Motion due to the COVID-19 dilemma-(Exhibit-9), the Court granted his Petition on the 3rd day of June 2020, the government released Plaintiff under supervision with an ankle monitor.

The fact is that the government in its "Opposition to Petitioner's Motion to Stay Removal" recorded its malicious conduct "Obstructing Justice" by ignoring "Justice" and manipulating the immigration administrative procedures for the sole purpose of injuring Plaintiff. The government, regardless of Petitioner's objections regarding the "obstruction of Justice" ignored Petitioner's claims, to wit:

No. 19-72855

IN THE UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT

CARLOS LANDEROS,
A034-266-469, (DETAINED),

Petitioner,

v.

WILLIAM P. BARR,
Attorney General,

Respondent.

RESPONDENT'S OPPOSITION TO PETITIONER'S
MOTION TO STAY REMOVAL

On November 12, 2019, Carlos Landeros filed a petition for review and a motion to stay removal. Respondent opposes the stay request because Landeros's motion is perfunctory and, thus, does not satisfy the legal prerequisites for a stay of removal under either *Nken v. Holder*, 556 U.S. 418 (2009), or *Leiva-Perez v. Holder*, 640 F.3d 962 (9th Cir. 2011) (per curiam).

Landeros seeks review of an immigration judge's November 7, 2019 final order concurring with the Department of Homeland Security negative reasonable fear determination. Certified Administrative Record at 1. The Court may stay an

alien's removal pending review of a final order of removal. 8 U.S.C.

§ 1252(b)(3)(B). But a stay of removal is an "intrusion into the ordinary processes of administration and judicial review." *Nken*, 556 U.S. at 427 (citation omitted). And it "is an extraordinary remedy that should not be granted in the ordinary case, much less awarded as a matter of right." *Id.* at 437 (citations omitted) (Kennedy, J., concurring). Whether to grant a stay pending review is "an exercise of judicial discretion, and the propriety of its issue is dependent upon the circumstances of the particular case." *Id.* at 433 (internal quotations omitted). The alien "bears the burden of showing that the circumstances justify an exercise of that discretion." *Id.* at 433-34.

In adjudicating a motion to stay an alien's removal, this Court must make an "individualized judgment" regarding: (1) whether the applicant "has made a strong showing that he is likely to succeed on the merits;" (2) whether the applicant will be "irreparably injured absent a stay"; (3) "whether issuance of the stay will substantially injure other parties interested in the proceeding"; and (4) "where the public interest lies." *Id.* at 434. These factors are independent elements, each of which the alien must satisfy to meet his burden of proof in establishing that a stay of removal is warranted. *Nken*, 556 U.S. 434-35.

With regard to the first factor, the *Nken* Court declared that "[i]t is not enough that the chance of success . . . be better than negligible" or that the alien

have a “mere possibility” of obtaining the relief sought. *Nken*, 556 U.S. at 434 (internal quotations omitted).

Here, Landeros’s motion for a stay does not make a strong showing of a likelihood of success on the merits. *See generally* Pet’r Stay Mot. Indeed, the motion is perfunctory and does not argue the merits of his claims or show why the immigration judge erred in concurring with DHS’s negative reasonable fear determination. *Id.* As such, Landeros has failed to show how he can succeed on this petition for review. *See Nken*, 556 U.S. at 434; *see also Leiva-Perez*, 640 F.3d at 970.

Additionally, “[t]here is always a public interest in prompt execution of removal orders” *Nken*, 556 U.S. at 436. Indeed, “[t]he continued presence of an alien lawfully deemed removable undermines the streamlined removal proceedings [the Illegal Immigration Reform and Immigrant Responsibility Act of 1996] established, and ‘permit[s] and prolong[s] a continuing violation of United States law.’” *Nken*, 556 U.S. at 436 (quoting *Reno v. Am-Arab Anti-Discrimination Comm.*, 525 U.S. 471, 490 (1999)); *see also* Sen. Jud. Committee Rep. No. 104-249 at 7, 1996 WL 180026 (“If the United States is to have an immigration policy that is both fair and effective, the law and the commitment of those with the duty to apply it and enforce it must be clear. . . . Aliens who violate U.S. immigration law should be removed . . . as soon as possible.”). Moreover, in

Leiva-Perez, the Court stated that the government is obligated to bring circumstances concerning the public interest to the attention of the Court. *See* 640 F.3d at 970. Here, the public interest warrants denying Landeros's stay request because he remains detained at taxpayer expense. Given Landeros's failure to satisfy his burden of proving that he merits a discretionary stay, the Court should deny his stay motion. *See Nken*, 556 U.S. at 434 (alien must make "a strong showing" of the likelihood of success on the merits of the petition for review; "The first two factors of the traditional standard are the most critical"). Accordingly, the Court should deny the request for a stay of removal.

CONCLUSION

For the foregoing reasons, the Court should deny the motion for a stay of removal.

Respectfully submitted,

JOSEPH H. HUNT
Assistant Attorney General
Civil Division

MATTHEW B. GEORGE
Senior Litigation Counsel
Office of Immigration Litigation

Dated: January 7, 2020

/s/ Timothy Bo Stanton
TIMOTHY BO STANTON
Trial Attorney
Office of Immigration Litigation
Civil Division, U.S. Department of Justice
P.O. Box 878, Ben Franklin Station
Washington, D.C. 20044
(202) 305-7025
Timothy.Stanton@usdoj.gov

Attorneys for Respondent

CERTIFICATE OF SERVICE AND COMPLIANCE

I hereby certify that, on January 7, 2020, I caused the forgoing to be electronically filed with the Clerk of the Court for the United States Court of Appeals for the Ninth Circuit by using the appellate CM/ECF system. Petitioner is not a registered CM/ECF user and will instead be served by United States mail at the following address:

Carlos Landeros (In Pro-Se)
A034-266-469
Adelanto Detention Facility
10250 Rancho Road
Adelanto, CA 92301

I also certify that this motion complies with the 5200-word type-volume limitation: according to the word-processing system used to prepare this document, it contains 724 words. *See* Fed. R. App. P. 27(d)(2)(A) & 32(g).

s/ Timothy Bo Stanton
TIMOTHY BO STANTON
Trial Attorney
Office of Immigration Litigation
Civil Division, U.S. Department of Justice
P.O. Box 878, Ben Franklin Station
Washington, D.C. 20044
(202) 305-7025
Timothy.Stanton@usdoj.gov

Dated: January 7, 2020

Attorney for Respondent

In spite of the fact that the public servants of the Executive Branch of government of the United States under “Oath” – Title 5 USC Sec. 3331 swear to protect and defend the Constitution of the United States ... intentionally- maliciously ignored Plaintiff’s violation to his Six Amendment right, in fact nowhere in the government’s “Opposition Motion” made any statements in reference to Plaintiff’s violation to his Sixth Amendment right ... totally ignored ... how any applicant for Asylum stands a chance? The whole process is just a show ... a fraud. Plaintiff on January 20, 2020 Replay to the Government’s Opposition to his Motion to stay Removal, proving in fact that the government “Opposition” was based in “Fraud” , intentionally and maliciously “Obstructing Justice” to wit;

In The United States Court of Appeals
For The Ninth Circuit

Carlos Landeros
Petitioner

7019 1120 0000 2676 1807

No. 19-72855

7019 1120 0000 2676 1791 1

V

7013 3020 0002 0536 6244

William P. Barr
Attorney General
Respondent

Reply to Government's
Opposition To Petitioner's
Motion To Stay Removal

Now Come, Carlos Landeros (Petitioner), pro se, hereby, pursuant to his constitutional standing does move before this Honorable Court respectfully presenting his reply to the government's opposition to his Motion to stay removal, in support Petitioner state the following, to wit:

Petitioner had a Reasonable Fear Interview so he can be allowed to file an "Application for Withholding of Removal Under Immigration and Nationality Act - Sec. 241(b)(2), and Protection under Article 3 of the United Nations Convention Against Torture. . . . The government

found Petitioner not to be credible. ... Petitioner in fact was not able to state his real problem due to the fact that the asylum officer was too aggressive, therefore Petitioner requested a reasonable fear review by an immigration judge. Unfortunately the immigration judge behaved the same way as the asylum officer, so again Petitioner was not able to explain his horrific dilemma he suffered in Mexico, therefore, again, the immigration judge found that Petitioner's reasonable possibility to be tortured in the country of removal was negative. After the fact directing Petitioner to file a Petition directly to the U.S. Court of Appeals for the 9th Circuit. Petitioner filed the Petition and a Motion for Stay of Removal. The government filed a Motion on Opposition to Petitioner's Motion to Stay Removal. ... Petitioner on January 13, 2020 received a copy of the same.

"Material Facts"

Petitioner is hereby appealing the Reasonable Fear 8 CFR §1208.31 (a)(1) and the Credible Fear-8 CFR §1208.30 (a)(2) (iv)(A), as well as a violation to his Fifth and Sixth Amendments rights that took place within his interview-deposition with the asylum officer. ... Therefore,

(2-of-13)

the government's "Opposition" is based on presumptions and not in facts as the law requires, to wit:

Landeros had an interview with an asylum officer for purpose of reasonable fear findings. ... At the beginning of the interview the officer asked if he have an Attorney or Consultan. Landeros replied that- "No". ... The next question was: "You have the right to be represented by an Attorney or Consultan during this interview. Would you like time to retain an Attorney or consultan, are you willing to speak with me - today without one"? Landeros replied: "I would like to do the interview today without an Attorney". ... So the questioning begin, after 10 minuts of questioning Landeros stated - "Christopher, I am beginning to feel uncomfortable I will need a lawyer. EveryThing that I have said is the truth". The officer replied: "Sir, I apologize. You did sign the Attorney - Waiver Form. My role is to ensure that you feel comfortable. Allow me to contact my Supervisor". ... See Exhibit A.

The asylum officer contacted his Supervisor after 20 minuts of conversation the asylum Officer persuaded Petitioner to continue without the Attorney - stating that the interview was his only chance, that he will not have an other chance due to the fact that he had signed the Attorney Waiver Form. ... So Petitioner was coerced to continue.

(3-of-13)

Unfortunately the asylum officer did not record in his writings this part of the conversation; The Officer left for 15 or 20 minutes when he came back that is when he coerced me to continue without the Attorney.

After the interview with the asylum officer, about two weeks later, Petitioner was interviewed again, only for the result of the interview with the asylum officer, stating that it was negative, that if Petitioner wanted to have the immigration judge to review it. Petitioner agreed....

At the court hearing Landeros felt pressure again, he felt not comfortable therefore he only answer the judges questions and made some statements not relevant to his real dilemma.

The United States of America has the most remarkable justice system in the world, unfortunately the evils of misfortune has taken control of the same, causing therefore irreparable injuries to minorities who has no money nor legal understanding but they have to represent themselves due to the fact that the government in general refuse to adhere to constitutional parameters.... The United States Constitution and Bill of Rights were created to protect the Peoples' life, liberty, and property, ... from who? From government intrusion.

(4-of-13)

What happen? Government by interpretation has taken control of the Peoples precious rights. Now some government Officers lost their integrity, their virtue, and most important their purpose. ... No immigrant stands a chance, most of them are being discriminated, mistreated, their rights violated, proving fact can be found within the 96.6% of asylum denials, including, of course, this case on hand, where Petitioner in his "non-adversarial manner review" was not able to express the real horrific experience he endured in Mexico, he felt pressure, uncomfortable ... his dilemma, to him, is embarrassing and horrific experience that marked his life forever, in fact he need a professional that can walk him throughout his dilemma ... and no someone that all he wanted is to finish with the interview and send him to Mexico. Petitioner requested for an Attorney at that point and time the officer's duty was to stop and without any more questions given his requested opportunity to be represented by an Attorney. ... And not coerce him to believe that if he refuse to continue he will lose his opportunity. ... Same situation in the court's hearing ... Petitioner felt pressure by the judge and government - therefore he was not able to express his horrific dilemma. ... Petitioner did not requested for an Attorney in his court hearing due to the fact that he believe that after signing the Attorney Waiver he had no Attorney right - therefore he did not requested

(5-of-13)

For the Attorney. For some people the court is intimidating therefore their mind blocks their understanding, they cannot answer within reason, this is what took place in this case on hand.

It is clear and obvious that Petitioner need an Attorney, proving fact can be found on the government's description of Petitioner's Motion to stay ... the government described as a "perfunctory motion" ... yes of course, such Motion was made not by an Attorney, but by someone that has no clue about legal terminology much-less constitutional standing. Yes of course have to be "perfunctory" - how can he create something otherwise? On the other hand the government has professionals with unlimited resources - "equal justice"?

And what in fact those professionals with unlimited - resources do? ... Making a show of professional law skills stating that: "Stay of removal is an "extraordinary" remedy that should not be granted in the "ordinary" case, much less awarded as a matter of right ... that granting a stay is "an exercise of judicial discretion" ... that the alien "bears the burden" of showing that the circumstances - "justify" an exercise of that discretion" ... Id. at Gov. Motion.

Mr government the United States of America preaches

(6-of-13)

democracy around the world, and has entered into many international agreements - such as the "Protection Under Article 3 of the Convention Against Torture" ... Under the U.S. Constitution Article VI: "... all treaties made under the authority of the United States 'shall' be the supreme law of the land" ... So based on such fact it seems to me that the "extraordinary remedy" on the "ordinary case" is in fact a "right" that shall not be review under discretion - much less changing the burden to the alien - in order to exercise such discretion. ... Perhaps Petitioner may be wrong, but unfortunately we the aliens have no legal help much-less access to search for information in a real legal lawlibrary. The Detention Centers where aliens are incarcerated does not offer but one hour per day five days per week access to the law-library that it is totally deficient - including its management.

On the other hand immigrants have an other problem it has to do with the "Stay of Removal Motion" ... Such Motion "shall" form part of the petition to review ... and "shall" not be answered separately from the "Petition to Review", but in the same time as the brief for the Petition - due to the fact that the "subject-matter" control both Petition for Review and Motion to Stay Removal - so based on such fact - answering the Motion to Stay Removal is unnecessary

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and prejudicial to the Petitioner, hereby reserved.

Another dramatic issue is taken place discriminating and starting immigrants, to wit: According to the government and courts an immigrant detainee has a non-constitutional right (this fact is questionable) to be represented by an Attorney, but not on the government's expense. ... Immigrant's family therefore are forced to hire Attorneys that all they do is taken the immigrants' money and corruptly process our cases - this, of course, is an alarming fact in need to be taken into consideration. Those immigrants detainees who does not have money - without knowing or having any understanding of the law - rights and language represent themselves, or request help from non-profit organizations that lacks staff and money to do anything other than - as the government perfectly described - "perfunctory motions". ... In fact Attorneys for profit or not - do nothing other than injuring immigrants. ... On the other the government and immigration courts opposition to adhere to constitutional parameters protecting a system set-up for private gain - where 96.6% of the cases are denied ... injuring immigrants as well, ... thousands of immigrants that are detained for long ... long periods of time. ... There is no chance to find any relief under this new administration where zero tolerance policy had allowed the immigration courts and government

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to discriminate and violate the immigrants' rights, to wit:

Petitioner had an interview on a "non-adversarial manner" - with the asylum officer - Officer that before the interview stated that: "I am not here to give you advice or protect your rights. . . . I am here to deport you". . . . So much for the "non-adversarial manner". . . . On the other hand Petitioner's court hearing was based on coercion - questions and questions without an opportunity to feel comfortable, to be able to express the real dilemma that Petitioner had suffered in Mexico. . . . The immigration courts and government has taking the "zero tolerance policy" very serious - does not matter if the immigrants has or not a valid issue - the answer is "no". . . . Again the government in his brief stated:

" "There is always a public interest in prompt execution of removal orders - the continued presence of an alien lawfully deemed removable undermines the streamlined removal proceedings - a continuing violation to the United States law. . . . Aliens who violate U.S. - Immigration law should be removed as soon as possible. Id. at p 3 - Gov. Brief. . . . "Here, the Public Interest warrants denying Landerou's stay request because he remains detained at taxpayers expense". Id. at p 4.

(9-06-13)

The stated government's facts bring two very important questions ... which are in the heart of the integrity of this so world-wide preachable democracy, to wit:

“Mr Government the immigration administrative proceedings and laws are criminal or civil?”

Interpreting your statement, supra, you in fact honestly believe that the same are of the criminal nature ... If true then there are too many constitutional violations taken place within such administrative process — injuring not only the immigrants but the public interest that you so dearly try to protect ... On the other hand if you believe, which you not, that it is of the civil nature then will be more problematic ... So, if criminal, the first question will be: “why immigrants are placed behind bars for months and even years?” ... Under — the criminal law — preventive detention — or — pretrial — detention according to the Supreme Court 90 days will be the maximum time behind bars before become punitive, and even 90 days was consider punitive — see 18 USC § 3142 — c1 seq. ... Based on 18 USC § 3161. ... U.S. v Edwards 430 A.2d 1321, 1349 (DC.1981); U.S. v Gallo, 653 F. Supp. 320, 334-35 (E.D.N.Y.1986). ... So if criminal in fact does not tolerate more than 90 days — certainly under

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under civil-law even 30 days is punitive constitutionally impermissible. . . . So the next question will be: Why then immigrants are placed behind bars for that stated long - periods of time? For private gain Mr government . . . For private gain . . . there is in fact where the taxpayer dollars are going to - private corporations . . . the immigrants are only the moving product - which in fact it is how we are treated . . . as a moving product. . . . I have not drawn these facts from my prejudice, but from the nature of things. . . . Here a great many truths will not appear till you have seen the chain which connects them with others. The more you Mr government enter into particulars the more you shall perceive with certainty such horrific fraud . . . Violations that are causing pain and suffering to minorities on search of life, liberty and pursuit of happiness.

"Conclusion"

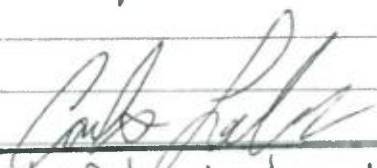
Petitioner unquestionably had and has the right to have an Attorney present for the reasonable fear interview . . . see Zuniga V William P. Barr - 16-72982 (9th Cir. 2019) - Petitioner did requested for the presence of an Attorney - the government after

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the fact persuaded Petitioner to continue without an Attorney - stating that the interview was his only chance, that he will not have an other chance due to the fact that Petitioner have had signed the Attorney Waiver Form - Petitioner was coerced to continue. This violation is in fact sufficient to stay removal until Petitioner present his petitions brief and the - government filed his brief reply and this Honorable Court conclude that the government violated Petitioner's right to counsel in his reasonable fear review proceedings by failing to stop the hearing-interview when Petitioner requested for an Attorney. For all the stated facts there are obvious violations.

Therefore, Petitioner pursuant to his constitutional standing does move before this Honorable Court, respectfully requesting to deny the government's request.

Executed this 20th day of January 2020


 Carlos Antonio Landeros Lopez
 034 266 169 W2 D 105 1U
 Adelanto Detention Center
 10400 Rancho Road
 Adelanto CA 92301

(12-OF-13)

Certificate of Compliance

I, Carlos Landeros, do state and affirm, under the penalty for perjury that I had supplied a copy of the Motion hereby attached, via first class U.S. Postal Services - deposited in the institution mail personnel, to:

William P. Barr - Attorney General
U.S. Department of Justice
950 Pennsylvania Av. N.W.
Washington D.C. 20530-0001

U.S. Department of Justice
Office of Immigration Litigation
PO Box 878, Ben Franklin Station
Washington D.C. 20044

Department of Homeland Security
Office of the Chief Counsel
10100 Rancho Road
Adelanto CA 92301

Carlos Landeros

Carlos Antonio Landeros Lopez
034 266 649 W2 D 105 10
Adelanto ICE Detention Center

The facts are clear upon the record, there is no integrity in the way the government manage the immigration's administrative procedures, as Plaintiff affirmed ... the U.S. Government enter into an International agreement where agreed to respect the Human Rights therefore immigrants in search of protection has a constitutional right to request for "Asylum" under "Article III – of the United Nations Convention Against Torture ... therefore the "Reasonable Fear Interview" is in direct conflict with such "Treaty" ... causing pain and suffering to vulnerable people in search of compassion ... therefore the "Application for Asylum and for Withholding of Removal- Form-I- 589", shall be given to the "Applicant" so he/she can without being interrogated describe the danger situation, and after the fact, reviewed by the "Immigration Administrative Judge", if denied then given the "Administrative Appeal" as the "Due Process Rights require. ... To the contrary just cancel the Treaty end of the matter. ... But unfortunately to many private corporation are making billions of dollars from the suffering of immigrants in search of well being.

Plaintiff will now present his "Opening Brief" sent on February 13, 2020 to the United States Court of Appeals for the Ninth Circuit, to wit:

In The United States Court of Appeals
For The Ninth Circuit

7013 3020 0002 0536 6282 U.S. Court A.

Carlos Landeros
Petitioner

Case# 19-72855

7013 3020 0002 0536 6190 Imm Litigation.

7013 3020 0002 0536 6206 Attorney General

V

Petitioner's Opening Brief

William P. Barr
Attorney General
Respondent

Federal Rules of Appellant Procedure
31 and 9th Cir. R. 31-2.1.

Now Come, Carlos Landeros (Petitioner), pro se, hereby, pursuant to his constitutional standing does move before this Honorable Court, respectfully presenting his "Opening Brief" - presenting those issues of fundamental importance to the integrity of this wonderful justice system, in support Petitioner state the following, to wit:

Petitioner had a reasonable fear interview so he can be allowed to file an Application for Withholding of - Removal under Immigration and Nationality Act - Sec. 241(b)(2), and Protection under Article 3 of the United Nations Convention Against Torture, ...

Petitioner was not able to explain his horrific dilemma he had suffered in Mexico, due to the fact that the asylum officer was too aggressive, therefore Petitioner requested for an Attorney. The asylum officer persuaded Petitioner to continue without the Attorney - stating that the interview was his only chance to petition for asylum, that he will not have another chance because he had signed the Attorney waiver form - so Petitioner therefore was coerced to continue. After the fact the the asylum officer found Petitioner not to be credible. Petitioner requested therefore a reasonable fear review by an immigration judge. Petitioner again was not able, in his court hearing, to explain his horrific dilemma due to the fact that the Immigration judge was a female. And she was too aggressive as well. So the judge found that Petitioner reasonable possibility to be tortured in the country of removal was negative. After the fact directing Petitioner to file a Petition directly to the U.S. Court of Appeals. Petitioner filed a Petition and a Motion for Stay of Removal. ... The government filed a Motion in Opposition to Petitioner's Motion to Stay Removal. ... Petitioner on January 22, 2020, filed his Reply to the government's Opposition.

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The questions are whether asylum is a constitutional right or not? ...

Whether the asylum questioner used by the ICE officer for the reasonable fear findings interview is constitutional or not? ...

Whether Petitioner has a Fifth Amendment right, but not Sixth Amendment right? ...

And whether the asylum officer had a constitutional duty to stop the interview after Petitioner requested for an Attorney?

"FACTS"

1st - Whether asylum is a constitutional right to noncitizens or not? The United States signed a "Treaty" in 1988 - a treaty named as: The Convention Against Torture - CAT. President Clinton completed the ratification process in November 1994. And on October 21, 1998 the Congress recognized Article 3 of the Convention Against Torture as United States policy and required the INS to issue regulations that establish a formal procedure for CAT -

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claims by noncitizens.; Pub. L. N. 105-211, § 242. On February 19, 1999, the INS issued interim rules (44 Fed. Reg. 8478-96) - which became effective as final rules on March 22, 1999 - 64 Fed. Reg. 13881.

Now under the Constitution of the United States Article VI states:

"This constitution, and the laws of the United states which shall be made in pursuance thereof; and all treaties made, or which shall be made, under the authority of the United States, shall be the 'supreme law of the land'; (in part).

So based on such fact, the asylum under the Convention Against Torture, is a "Treaty" - therefore a constitutional right to those noncitizens under such stated, super, circumstances.

2nd) Whether the asylum questioner, used by ICE asylum - officers for the reasonable fear findings interview, is constitutional or not?

Petitioner had an interview supposedly on a "non-adversarial manner" ... with an asylum officer that before the interview stated that: "I am not here to give you advice or protect your rights - I am here to deport you" ... Questions and questions without an opportunity to feel comfortable, or to be able to express

(4-of-10)

the real dilemma that I had suffered in Mexico. ... In fact after 30 or 40 mins of questions I stated: "Christopher, I am beginning to feel uncomfortable I will need a lawyer" ... Id at p 16. Exhibit A. ... The asylum officer left for 20 or 30 mins, after he returned - persuaded me to continue without the Attorney, stating that the interview was my only chance to stay in this country, that I will not have an other chance because I have had signed the Attorney waiver form. ... So I continued. Unfortunately I did not was able to express my horrific and embarrassing experience that changed my life forever.

So the asylum officer denied me access to an Attorney when I requested for it; coerced me to continue without an Attorney; and the officer on his reasonable fear findings credibility determination stated that: "The applicant's testimony was sufficiently detailed, consistent and plausible in material respects and therefore is found credible... Id. at DktEntry 5-2 P. 40

So the interview was not plausible in its material respects; the asylum officer lied ... as the officer stated: "I am not here to give you advice or protect your rights ... I am here to deport you". So this "Reasonable Fear Finding Interview Questioner" its totally prejudicial to the constitutional rights of the detainee, therefore unconstitutional. ... This questioner is a tool to prevent, those who need asylum, success. Petitioners for asylum are powerless ... fragile people an need of compassion.

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3rd) - Whether Petitioner has a Fifth Amendment right, but not Sixth Amendment right?

According to the courts, an immigrant detainee has a non-constitutional right (statutory right) to be represented by an Attorney, but not on the government's expense. ... Such right was established based on the immigrant's right of due process. ... **So much for the equals rights for the poor.** ... Congress enacted statutory law authorizing the aliens, that has been detained, prolonged detention - See Title 8 USC §§ 1225, 1226, 1231, and many ... many others ... inflicting punishment - unlawful punishment - under civil administrative law. ... Also, "Aliens may be arrested without a warrant if there is reason to believe that the alien has - violated immigration law, and is likely to escape before a warrant can be obtained." ... Title 8 USC § 1357 - INA § 287(a)(4). ... According to this fact Congress has created a tremendous conflict with the Fifth, Sixth, Eighth, and even Fourth Amendments rights. ... The fact is that lengthy delay can transform what might otherwise be a valid regulatory measure into one that is punitive regardless of Congress intentions - 8 USC §§ 1225, 1226, 1231, and others. ... Extended periods of time became punitive in effect prohibited by the Due Process clause of the Fifth Amendment.

Why immigrants are treated like a secondary race and without any real concern about the integrity of this wonderful justice system? And answering such question, the best majority

(6-06-10)

of the immigrants immigrating to the United States are looking for labor work, without a good education ... ignorant of the American language, therefore they are treated like a - Secondary race, and on top of that, after detained by Immigration officers and placed behind bars, when looking for solutions for their legal dilemma, their Attorneys, if they can afford one, all the Attorneys do is taken the money, given them non-existing hope. ... On the other hand, if they cannot afford an Attorney, they have to represent themselves, which is the same of no having representation. The government and the administrative court - wash their hands by providing to the detainees a list of Pro-Bono legal services that are overwhelmed with work, and according to them, without staff and money to do anything other than, as the government properly described - "perfunctory motions". ... The fact is that immigrants do not have legal representation period. ... Causing therefore discrimination and infliction of mental distress - torture.

Man has natural rights denominated by some people as - "God given rights". ... Therefore being all "equal" and independent, no one ought to harm another in his life, health, liberty or - possessions". ... No one can be subject therefore to the - Inconsistent, uncertain, unknown, arbitrary will of another man". ... In fact the Constitution of the United States of America was and is the leading instrument upon which the declaration of - "natural rights were established - being this constitution

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the most precious instrument ever made, and every nation's example.

The Constitution of the United States of America is the social 'order' instrument upon which all the power resides. ... And therefore offers and reinforce - "equal rights" - "equal justice" to everyone regardless of their race, color, legal status, religion, gender, nationality - etc.; and to secure these rights this government was established. ... So immigrants in general have the whole Bill of Rights - protecting them.

Arđ) - Whether the asylum officer had a constitutional duty to stop the interview after Petitioners requested for an Attorney?

Yes indeed, the asylum officer has a constitutional duty to stop asking questions when the detainee request for an Attorney, it is usurpation and oppression to do otherwise - that is regardless if the detainee signed an Attorney waiver form. ... The Fifth Amendment right against self-incrimination is available outside of court proceedings and serves to protect persons in a setting in which their freedom of action is curtailed, from being compelled to incriminate themselves. The Fifth Amendment protects the people against the exercise of arbitrary power - against this manifestly unjust method of interrogating people - applicants - for asylum. This interview - or more in fact, "interrogation" takes place in privacy - under total control of the officer - therefore

(8-0f-10)

privacy results in secrecy and this in turn results in a gap of knowledge as to what in fact goes on in the - interrogation rooms. ... It is not admissible to do a great right by doing a little wrong. ... If asylum is a right, *supra*, gave the application to the applicant so he/she can, in their privacy, without being pressure, narrate their dilemma - after the fact, reviewed by an administrative judge, for proper determination.

"Conclusion"

Petitioner based on the, *supra*, material facts, was not able to explain his horrific dilemma that he had suffered in Mexico. Petitioner, based in his gender, has a mental disorder that does not allow him to say anything that he think would be embarrassing. ... If he is interrogated he gets confuse, overwhelm ... losing notion of reality.

Therefore, Petitioner does move before this Honorable court, respectfully requesting to issue an order granting him the - opportunity to file an "Application for Asylum and for Withholding of Removal - I 589", ... without being - interrogated before completing the form. After the fact -

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reviewed, for fact determination, by an Immigration administrative judge, again, without being interrogated - in the alternative appoint him counsel to avoid been sent to the slaughter. ... Notice- Petitioner on January 22, 2020, sent to this court his Reply to the governments Opposition to his Motion to Stay Removal - both Motions are hereby incorporated for proper courts fact determination and proper judgement.

Executed this 13 day of February 2020

Carlos Antonio Landerus Lopez

Carlos Antonio Landerus Lopez

034 266 649 W2 D 105 1U

Adelanto Detention Center

10400 Rancho Road

Adelanto CA 92301

(10-of-10)

Certificate of Compliance

I, Carlos Landeros, do state and affirm, under the penalty for perjury that I had supplied a copy of the Motion hereby attached, via first class U.S. Postal Services - deposited in the institution mail personnel, to:

William P. Barr - Attorney General
U.S. Department of Justice
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Washington D.C. 20530-0001

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Carlos Landeros

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Adelanto ICE Detention Center

As Plaintiff stated, supra, the administrative “Due Process” given to Immigrants is nothing but a show, a fraud for the sole purpose of private gain. In a Country that preaches democracy around the World and behind its bars practicing slavery something is very wrong. The following “Legal Instrument” issued by the government in response to Plaintiff’s “Opening Brief” will give us a clear understanding on how corrupted this “Administrative Immigration System is” ... according to these public servants of the Executive Branch of the federal government immigrants do not have constitutional rights in the U.S. Country therefore is up to their discretion to allowed an immigrant to stay in this Country, the prove of such fact, to wit:

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No. 19-72855

**IN THE UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT**

CARLOS ANTONIO LANDEROS,

Petitioner (NOT DETAINED),

v.

**WILLIAM P. BARR,
United States Attorney General,**

Respondent.

**PETITION FOR REVIEW OF AN ORDER OF
THE DEPARTMENT OF HOMELAND SECURITY**

(Agency No. 034-266-469)

BRIEF FOR RESPONDENT

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Civil Division

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RESTRICTED Case: 19-72855, 07/31/2020, ID: 11773185, DktEntry: 19, Page 2 of 19

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No. 19-72855

**IN THE UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT**

CARLOS ANTONIO LANDEROS,

Petitioner,

v.

**WILLIAM P. BARR,
United States Attorney General,**

Respondent.

**BRIEF FOR RESPONDENT
(Agency No. 034-266-469)**

STATEMENT OF JURISDICTION

Carlos Antonio Landeros, a native and citizen of Mexico, petitions for review of the immigration judge's November 7, 2019 decision concurring in the Department of Homeland Security's ("DHS") reasonable fear determination. Certified Administrative Record ("AR") 1. The immigration judge had jurisdiction to review DHS's reasonable fear determination under 8 C.F.R. § 1208.31(g). The Court's jurisdiction to review final orders of removal is governed by 8 U.S.C. § 1252.

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Landeros filed a timely petition for review on November 12, 2019, which was within 30 days of the immigration judge's November 7, 2019 order concurring with DHS's finding that Landeros did not present a reasonable fear of persecution or torture in Mexico. AR 1; *see* 8 U.S.C. § 1252(b)(1). Venue properly lies in this Court as the immigration judge completed proceedings in Adelanto, California. 8 U.S.C. § 1252(b)(2); AR 1.

STATEMENT OF THE ISSUE

Whether Landeros waived any challenge to the DHS's reinstatement of his prior order of removal and the immigration judge's concurrence in the asylum officer's no reasonable fear finding?

STATEMENT OF THE CASE AND RELEVANT FACTS

Landeros is a native and citizen of Mexico. AR 42. In November 2002, an immigration judge ordered Landeros removed to Mexico. AR 34. In March 2011, the DHS removed Landeros to Mexico. AR 9-10, 31, 37, 44. In 2014, Landeros illegally entered the United States. AR 37.

On October 12, 2019, the DHS reinstated Landeros's November 2002 removal order because he illegally reentered the United States after a prior removal. AR 31. The same day, because Landeros expressed a fear of returning to Mexico, the DHS conducted a reasonable fear interview. AR 37, 38-55. When the interview started, the Asylum Officer ("AO") asked Landeros if he wished to have

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his interview postponed to find an attorney. AR 41. Landeros declined, saying he "would like to do the interview today without an attorney." AR 41. Shortly after the interview began, Landeros requested a "health break," after which the AO asked Landeros if he felt "comfortable proceeding with the interview," to which he replied "yes I am just a little cold." AR 42. The AO again asked Landeros if he was willing to answer questions. *Id.* Landeros said "yes." *Id.* The AO next asked Landeros how he felt and how he was being treated in the detention facility. *Id.* He replied "fine" to both questions. *Id.* The AO also asked Landeros if he had "any medical or health conditions," and he said "no." *Id.* The AO then continued the interview. *Id.*

During the middle of the interview, Landeros told the AO that he was "beginning to feel uncomfortable[;] I will need a lawyer." AR 46. The AO informed Landeros that he signed an attorney waiver form, that his role as an AO was "to ensure that [Landeros] fe[lt] comfortable," and that he was going to "contact [his] Supervisor." *Id.* Landeros replied, "[l]et's just do this. I am telling the truth I just don't want to incriminate myself." *Id.* However, the interview only continued after the AO's supervisor found that Landeros felt comfortable and had signed the attorney waiver form. *Id.* The AO also again confirmed with Landeros that he felt comfortable proceeding with the interview. *Id.*

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At the conclusion of the interview, the AO asked Landeros whether he “unders[tood] all the questions asked today,” whether he “fe[lt] comfortable proceeding with the interview,” and whether he “fe[lt] comfortable speaking with [him].” AR 51-52. Landeros replied “yes” to all three questions. AR 51-52.

The AO officer concluded that Landeros did not have a reasonable fear of persecution or torture in Mexico. AR 30, 40, 53-55. The AO referred Landeros’s case to the immigration court because he requested that an immigration judge review the AO’s finding. AR 30.

On November 7, 2019, Landeros appeared before an immigration judge, indicated that he was proceeding without a lawyer, and then testified in support of his claim that the AO erred in finding that he does not have a reasonable fear of persecution or torture in Mexico. AR 5-23. The immigration judge first questioned Landeros regarding the conditions of his reasonable fear interview. AR 5-8. Landeros indicated that he was sick at that time with something “like a stomach flu and [he] got headaches from the noise inside the dormitories,” but he had taken medicine “like aspirin or ibuprofen,” and his interview was interrupted twice “by [him] going to the bathroom.” AR 7. Landeros also claimed that he “didn’t understand some of the questions [the AO] was asking.” AR 7-8. But, when asked to specify which ones, as the immigration judge had the list of questions in hand, Landeros could not remember. AR 8. The immigration judge

The only reason for the Bill of Rights was for the protection of the “Peoples Rights” , the government has a “Legal Duty” to have a counsel representing the person without asking the person for his consent ... otherwise is an act of usurpation, a clear violation to constitutional parameters. ... “Discretion is an Act of usurpation”. “Will is an Act of Usurpation”. ... “Public servants have no power no will”. They must perform within the parameters of the Constitution otherwise their action are meaningless, of no legal validity whatsoever, such it is the fact in this case on hand.

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then questioned Landeros regarding his immigration history and fear of returning to Mexico. AR 8- 23.

At the conclusion of the merits hearing, the immigration judge upheld the AO's negative reasonable fear finding. AR 1, 23-24. Landeros filed a timely petition for review with this Court.

SUMMARY OF THE ARGUMENT

Nowhere in his opening brief does Landeros challenge the reinstatement of his 2002 removal order or the immigration judge's concurrence in the AO's no reasonable fear finding. He, therefore, waives this issue.

Instead, Landeros claims that the AO coerced him into completing his reasonable fear interview even though indicated part way through that he wanted a lawyer. The record shows that: (1) Landeros wanted to proceed without a lawyer; (2) the AO stopped the interview and only resumed once he and his supervising officer confirmed with Landeros that he signed an attorney waiver form and was comfortable proceeding with the interview; and (3) Landeros indicated at the end of the interview that he understood all the questions asked and that he was comfortable throughout the interview with the AO who interview him. Landeros's other two arguments – that aliens like him have a constitutional right to asylum and a government appointed attorney – are foreclosed by governing law.

“Landeros’ other two arguments-that aliens like him have a constitutional right to asylum and government attorney -are foreclosed by governing law”. ... First of all the U.S. Government enter into an international contract agreeing to give asylum to those in need of it, and according to the U.S. Constitution a “Treaty” is the law of the land therefore a constitutional right, including the protection of the Bill of Rights, for those immigrants in need of protection ... that “governing law” that the governing is claiming ... is an act of usurpation of no legal force whatsoever, null and void.

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Because Landeros does not contest the reinstatement of his prior removal order or the immigration judge's concurrence in the AO's no reasonable fear finding, the Court should deny his petition for review.

ARGUMENT

I. Scope And Standard Of Review

The Court's review is limited to the reinstated removal order, constitutional and legal claims, and the immigration judge's negative reasonable fear determination. *See Andrade-Garcia v. Lynch*, 828 F.3d 829, 833 (9th Cir. 2016). The Court reviews *de novo* jurisdiction, constitutional claims, and questions of law. *Garcia de Rincon v. DHS*, 539 F.3d 1133, 1136-37 (9th Cir. 2008). The Court reviews the immigration judge's factual determinations underlying the denial of withholding of removal and CAT protection for substantial evidence. *Andrade-Garcia*, 828 F.3d at 833. The agency's findings of fact are "conclusive unless any reasonable adjudicator would be compelled to conclude to the contrary." 8 U.S.C. § 1252(b)(4)(B); *Andrade-Garcia*, 828 F.3d at 833 ("[W]e must uphold the IJ's conclusion that Andrade-Garcia did not establish a reasonable fear of torture unless, based on the evidence, any reasonable adjudicator would be compelled to conclude to the contrary." (quotation marks and citation omitted)); *see also INS v. Elias-Zacarias*, 502 U.S. 478, 481 (1992) (under the substantial evidence standard, the petition must be denied if the agency's determination is "supported by

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reasonable, substantial, and probative evidence on the record considered as a whole”).

II. Landeros Waives Any Challenge To The Reinstatement Of His Prior Order Of Removal.

Under Federal Rule of Appellate Procedure 28(a)(8)(A), an appellant’s brief must contain “appellant’s contentions and the reasons for them, with citations to the authorities and parts of the record on which the appellant relies.” The failure to “specifically and distinctly argue[] and raise[]” a claim in a petition for review results in waiver of that issue. *Castro-Perez v. Gonzales*, 409 F.3d 1069, 1072 (9th Cir. 2005); *see also Singh v. Ashcroft*, 361 F.3d 1152, 1157 n.3 (9th Cir. 2004) (“Issues not raised in an appellants brief are typically deemed waived.”).

In his opening brief, Landeros does not challenge the reinstatement of his 2002 removal order under the “three discrete inquiries an immigration officer must make in order to reinstate a removal order: (1) whether the petitioner is an alien; (2) whether the petitioner was subject to a prior removal order[:]; and (3) whether the petitioner re-entered illegally.” *Garcia de Rincon*, 539 F.3d at 1137; *see also Galindo-Romero v. Holder*, 640 F.3d 873, 877 (9th Cir. 2011). He simply ignores this issue all together. *See* Petitioner’s Opening Brief (“Pet’r Br.”) at 1-8.

Landeros did not challenge his prior order of removal due to the fact that it is irrelevant because he requested for protection under CAT, and due to the fact that such “Treaty”-CAT- is his constitutional right he enforced such right unfortunately the government refused to honor such “Treaty” – therefore the constitutional parameters as well.

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Consequently, Landeros waives any claim that the DHS erred in reinstating his prior removal order.¹

Landeros likewise does not challenge the merits of the immigration judge's concurrence in the AO's finding that he does not have a reasonable fear of persecution or torture. *See generally* Pet'r Br.; AR 1, 53-55. He therefore waived any claim that the record compels a finding that he will be persecuted or tortured.

Instead, Landeros argues that he has a constitutional right to asylum. Pet'r Br. at 3-4. Asylum is a protection granted by *statute* to foreign nationals already in the United States or arriving at the border who meet the definition of a "refugee." *See* 8 U.S.C. § 1158(a), (b)(1)(B)(i); *see also* *Maldonado-Perez v. INS*, 865 F.2d 328, 332 (D.C. Cir. 1989) ("There is no constitutional right to political asylum itself"); *Jay v. Boyd*, 351 U.S. 345, 354 & n.16, 357-58 (1956) (discretionary relief from deportation, such as asylum, "is not a matter of right under any circumstances, but rather in all cases a matter of grace"); *Blanco de Belbruno v. Ashcroft*, 362 F.3d 272, 280 (4th Cir. 2004) ("Aliens have no independent constitutional rights in an asylum procedure" (quotation marks omitted)).

¹ But even if this issue is not waived, the DHS did not err in issuing Landeros's reinstatement order, as the record shows that he is an alien, he is the subject of a prior expedited order of removal, and he illegally reentered the country without inspection days after his removal order was executed. AR 9-10, 31, 37, 42, 44.

When a constitutional system is managed by discretion the result is confusion, proving fact is here with the government affirmation: "discretionary relief from deportation, such as asylum, 'is not a matter of right under any circumstances, but rather in all cases a matter of grace". ... The government does not understand that there is a "Contract" a "Treaty Agreement" signed by the government and according to the constitution is the law of the land therefore the government's affirmation is nothing but a presumption that has in reality any valid force, therefore of no legal force whatsoever ... null and void.

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Additionally, Landeros does not have a statutory right to asylum because, as an alien who is subject of a reinstated removal order, he is only entitled to have his case referred to an immigration judge “for full consideration of the request for withholding of removal only” if the officer decides that the alien has a reasonable fear of persecution or torture. 8 C.F.R. §§ 208.31(e), 1208.31(e); *see also Perez-Guzman v. Lynch*, 835 F.3d 1066, 1081 (9th Cir. 2016) (“Although the availability of asylum is an important component of our immigration law, it is not unreasonable to conclude Congress intended to bar this form of relief to persons in reinstated removal proceedings while preserving relief for individuals able to meet the higher standards for withholding of removal and CAT relief”). The Court should therefore reject Landeros’s claim to asylum.

Landeros also claims he was unable to present his full claim because the asylum officer “coerced” him into continuing his reasonable fear interview even though he indicated he wanted a lawyer. Pet’r Br. at 2, 4-5, 8-9. But the record does not support Landeros’s assertions. The interview began only after the AO informed Landeros of the right to be represented by an attorney and Landeros stated that he “would like to do the interview today without an attorney.” AR 41; *see Zuniga v. Barr*, 946 F.3d 464, 471 (9th Cir. 2019) (right to counsel waiver requires inquiry into whether alien wishes to continue without counsel and a knowing and voluntary affirmative response). Even though Landeros asked for an

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attorney part way through the reasonable fear interview, he rescinded his request and said “[l]et’s just do this.” AR 46. In spite of his rescission, the AO stopped the interview and only resumed after he and his supervising officer confirmed with Landeros that he had signed an attorney waiver form and felt comfortable proceeding with the interview. *Id.*; see *Zuniga*, 946 F.3d at 471. Landeros confirmed at the end of the interview that he felt he understood all the questions he was asked and was comfortable with the AO who asked them. AR 51-52.

The immigration judge questioned Landeros regarding the conditions of the interview. AR 6-8. Although Landeros claimed that he “didn’t understand some questions he [the AO] was asking,” he could not specify which ones. AR 7-8. Landeros did not mention to the immigration judge that he thought the AO coerced him into completing the reasonable fear interview. *Id.*

Ultimately, the record reflects that Landeros was comfortable proceeding with his reasonable fear interview without an attorney, and there is no indication the AO coerced him, caused him duress, or engaged in some improper behavior to find that Landeros’s statements were involuntarily made. See *Cuevas-Ortega v. INS*, 588 F.2d 1274, 1278 (9th Cir. 1979) (“where there is nothing in the record indicating that the alien’s statement was induced by coercion, duress, or improper action on the part of the immigration officer, and where the petitioner introduces no such evidence, the bare assertion that a statement is involuntary is

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insufficient”); *Lizhi-Oiu v. Barr*, 944 F.3d 837, 840 (9th Cir. 2019) (describing termination of asylum interview when petitioner said she felt unwell and declined to interview); *Hernandez-Segovia v. Barr*, 763 F. App’x 613, 615 (9th Cir. 2019) (finding statements at credible fear interview were voluntarily made because the record does not suggest duress or coercion). Landeros failed to allege a cognizable procedural due process violation. *Mathews v. Eldridge*, 424 U.S. 319, 333 (1976) (“The fundamental requirement of due process is the opportunity to be heard at a meaningful time and in a meaningful manner.”) (internal quotation marks omitted).

Landeros’s final claim – that aliens like him should be provided an attorney at the government’s expense – is equally unavailing. Pet’r Br. 6-8. While Landeros correctly asserts that the right to counsel in immigration proceedings arises from the Fifth Amendment, it is well-established that aliens have no right to counsel at government expense. *See Zuniga*, 946 F.3d at 470-71 (recognizing right to counsel in immigration proceedings stemming from Fifth Amendment due process guarantee and pointing out that counsel is at alien’s expense); *United States v. Gasca-Kraft*, 522 F.2d 149, 152 (9th Cir. 1975) (“courts have uniformly held in this circuit and elsewhere that . . . [aliens] are not entitled to have counsel appointed at government expense”), *overruled on other grounds by United States v. Mendoza-Lopez*, 481 U.S. 828, 834 n.9 (1987) (collecting cases).

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In sum, Landeros fails to establish that either the AO or IJ committed a procedural error. As a result, Petitioner fails to present a colorable constitutional or legal question.

CONCLUSION

Landeros does not contest the reinstatement of his prior removal order or the immigration judge's concurrence in the AO's no reasonable fear finding. Thus, the Court should deny his petition for review.

Respectfully submitted,

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Dated: July 31, 2020

Attorneys for Respondent

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STATEMENT OF RELATED CASES

Pursuant to Ninth Circuit Rule 28-2.6, counsel for the Respondent states that he is not aware of any cases currently pending before this court that raise issues that are the same as, or closely related to, those presented in this case.

/s/ Timothy Bo Stanton
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CERTIFICATE OF COMPLIANCE

Pursuant to Fed. R. App. P. 32(a)(7)(C), the attached answering brief is in a proportionally spaced, 14-point typeface and contains 218 lines of text and 2,464 words.

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RESTRICTED Case: 19-72855, 07/31/2020, ID: 11773185, DktEntry: 19, Page 19 of 19

CERTIFICATE OF SERVICE

I hereby certify that on July 31, 2020, I electronically filed the foregoing brief with the Clerk of the Court for the United States Court of Appeals for the Ninth Circuit by using the appellate CM/ECF system. I further certify that I have mailed the foregoing document by First-Class Mail, postage prepaid, or have dispatched it to a third party commercial carrier for delivery within 3 calendar days to the following non-CM/ECF participants:

Carlos A. Landeros
641 Desert View Drive
Palm Springs, CA 92264

/s/ Timothy Bo Stanton
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The manipulation of the immigration administrative law has been for long long time, totally out of control, in fact the evils of misfortune has taken

control of the same, for long time private corporation are proffering from this premeditated constitutional violation where the government has contracts with private corporations for the sole purpose of proffering from the suffering of vulnerable people in search of well being ... proving fact on hand with Landero's case and many other cases from immigrants. The Treaty in question is the Supreme Law of the Land" and this Treaty offers relief to vulnerable people that has his life in danger ... the U.S. government signed a "Contact"-Treaty" with other countries agreeing to protect those people therefore the Treaty be came the law of the land therefore the applicant for asylum has a constitutional right that, of course, includes the protection of the Bill of Rights ... "Due Process of Law" is the heart of "Justice" without Due Process of Law is "usurpation" and a criminal action against human rights ... injuring vulnerable people for the sole purpose of private gain, such it is the situation with the "Private" Detention Centers where thousands and thousands of immigrants are the moving product that leave billions and billions of dollars to those private corporations. ... Now Plaintiff hereby present his "Replay to the Government's Brief, supra, to wit:

All this Material Facts hereby presented are supporting Material facts under “Official Proceedings” -see Title 18 USC Sec. 1515, therefore the supporting “Legal Instruments” for this on hand “Civil Action Complaint” ... that shall be taken into consideration not in part but in general ... as a whole ... due to the fact that describes the form on which the government conduct de administration of the immigration due process showing the facts that are causing human rights violations inflicted to immigrants for the sole purpose of private gain, therefore each of these Legal Instruments represent the supporting facts that gave as a clear understanding of the existing international wrongful act and human rights violations for the purpose of private gain, “Notice is hereby Given.”

In The United States Court of Appeals
For The Ninth Circuit

Carlos Landeros
Petitioner

Case# 19-72855

V

William P. Barr, US.
Attorney General
Respondent

Petitioner's Reply To
Respondent's Brief

Sent - 8-13-2020 to Landeros
7019 1120 0000 6877 6548



EJ 254 356 691 US Sent on 8/10/2020

Now came Carlos Landeros (Petitioner) pro se, hereby, pursuant to his constitutional standing does move before this Honorable Court, respectfully presenting his "Reply" to the government's brief ... affirming, under the penalties for perjury, that the government lied in his official (18-USC § 1515) response - stating that the Asylum officer (AO) stopped the interview and only resumed after the AO and his supervising officer confirmed with Landeros that he had signed an attorney waiver form and felt comfortable proceeding with the interview. ... The fact is that Landeros never met with the AO's supervisor; also, Petitioner affirm that the court's administrative rules became the government's labor tool to manipulate the outcome of justice instead of faithfully

and impartially execute and reinforce the laws of the United States - causing injuries to immigrants in search of wellbeing; in support petitioner states as follows, to wit:

Petitioner in his "opening brief" presented 4 questions: whether asylum is a constitutional right or not?; whether the "reasonable fear finding interview is constitutional or not?; Whether Petitioner has a Fifth Amendment right but not Sixth Amendment right?; and whether the asylum officer had a constitutional duty to stop the interview after Petitioner requested for an Attorney?

- The government instead of answering the questions with integrity as it is its duty to do so, ignoring the same, in part, and presented irrelevant arguments, to wit:

"Nowhere in his opening brief does Landeros challenge the reinstatement of his 2002 removal order or the immigration judge's concurrence in the AO's no reasonable fear findings. He, therefore, waives this issue." Id, at pp 5. G. B.

"The court's review is limited to the reinstated removal order, constitutional and legal claims, and the immigration judge's negative reasonable fear determination"... And other issues

(2-0f-13)

of relevant importance - only, to the government's practice of absolutism ... such as: "Because Londeros does not contest the reinstatement of his prior removal order or the immigration judge's concurrence in the AO's no reasonable fear finding, the court should deny his petition for review."...

- First of all Londeros never petition for review, but for a court order granting him the opportunity to file an asylum application - I-589 - without being interrogated before completing the form ... after the fact, reviewed for fact determination by an immigration administrative law judge, again without being interrogated.

- Londeros first question on his opening brief was: "whether asylum is a constitutional right or not?"

- The government's answer is: "Londeros's other two arguments that aliens like him have a constitutional right to asylum and a government appointed attorney - are foreclosed by governing law." ... Stating that: "Asylum is a protection granted by statute to foreign nationals already in the United States or arriving at the border who meet the definition of a 'refugee' See 8 USC § 1158 (a), (b)(1) (B)(i); see also *Maldonado Perez v. INS*, 865 F.2d 328, 332 (D.C. Cir. 1989) ('There is no constitutional right to political asylum itself); *Jay v. Boyd*, 351 U.S.

(3-0-13)

345, 354 & n.16, 357-58 (1956) (discretionary relief from deportation, such as asylum, is not a matter of right under any circumstances, but rather in all cases a matter of grace"); *Blanco de Belbruno v. Ashcroft*, 362 F.3d 272, 280 (4th Cir. 2004) (Aliens have no independent constitutional right in any asylum procedure) (quotation marks omitted)."

- Mr government with all due respect you do not understand this wonderful constitutional mechanism ... please allow me to enlighten you: Under the constitution of the United States Article One sect. 8: "The Congress shall have power to make all laws which shall necessary and proper for carrying into execution the foregoing powers, and all others powers vested by this constitution in the government of the United States, or in any department or officer thereof. ... Also, under Article VI, of the Constitution states: "This constitution, and the laws of the United States which shall be made in pursuance thereof; and all treaties made, or which shall be made, under the authority of the United States, shall be the supreme law of the land. ... Which means Mr government that any statute or treaties made by the government, are made pursuant to the power granted to the government by the constitution ... therefore constitutional ... therefore with full protection by the Bill of Right ... so landeros have a constitutional right to asylum and a government appointed attorney.

(1-of-13)

- Now, your case law precedents - Maldonado - 865 F. 2d; Jay - 351 U.S.; and Blanco - 362 F. 3d; - Petitioner need more context in order to formulate a proper opinion, but based on your interpretation petitioner honestly believe that your Mr. government are wrong ... as you are in fact in the interpretation given to the statute, supra. (Reserve).
- So, asylum; Withholding of Removal and Convention Against Torture (CAT) - are a constitutional right for refugees - whether is a matter of grace, privilege, or right - ... after all constitutional anyway.
- Second question is: Whether the "reasonable fear finding-interview is constitutional or not?"
- The government did not presented any opinion on this constitutional matter.
- "Take notice": The asylum application - Form I-589 - titled as: "Application For Asylum and for Withholding of Removal": This Form - I-589 - offers: a) information about the applicant; b) - information about spouse and children; c) information about the applicant's background; d) information about the applicant's claim to asylum - with full questioner; and e) affidavits and warnings including a peril hearing for a final determination

(§ of 13)

with the immigration judge - including signatures. Also take notice that such application offers the opportunity to attach additional information or evidence supporting your claims.

- After the fact the immigration judge will review the facts and issuing a determination on the -asylum; Withholding of removal; and Convention Against Torture - CAT - contemplating if any of those three applications apply to the applicant.

- So the form - I-589 - is the official form to petition for asylum and or Withholding of Removal - or - CAT... But Unfortunately in order for the applicant to obtain this form - I-589 - have to go through an executive administrative scrutiny denominated as "Reasonable Fear Interview" - see Zuniga V Barr - 16-72982 - which gives explicit information about the administrative law on this subject. ... An officer from ICE denominated as "Asylum officer (AO) interrogate the asylum applicant... unfortunately this AO only ask questions and do not accept any supporting material facts from the applicant. If the AO believe that there is substantial facts verbal - of course, then the AO will give you the form I-589. But if the AO believes that the applicants statements are not sufficient - then the Form I-589 is denied. ... The applicant then can request for an immigration court hearing, where again, the applicant have to prove that it has supporting material facts to support the requested

(6-0-13)

asylum-if proven then the court will offer the Form-I 589 otherwise, again, will be denied.

- So the "Reasonable Fear Interview"-interrogation by an Asylum officer - a federal agent - or.

- Merits Hearing - by immigration administrative law judge - a federal agent, ...

- So if "Asylum"-withholding of Removal; and CAT-are a constitutional right- therefore protected by the Bill of Rights but the failure of congress not to enact proper administrative procedures for the executive branch to be followed without infringing on the asylum applicant's rights- does not mean that the executive branch can enact-administrative procedures contrary to the spirit of the constitution ... such as the present situation where the applicant for asylum-or others, have to go through an interrogation issued by the federal agents in order to obtain the application Form I-589.

- Third question: whether petitioner has a Fifth Amendment right but not sixth Amendment right?

- The government does not made any objection to this constitutional question as well.

(7-of-13)

- Landeros has, on his opening brief, explicit supporting facts on such constitutional question - so no need for more statements.

- Fourth question: whether the asylum officer had a constitutional duty to stop the interview after Landeros requested for an attorney?

- This fact gave us a clear warning about its unconstitutionality. If an individual held for interrogation by a law enforcement officer, within the interrogation requests the assistance of counsel, the authorities cannot rationally ignore or deny his request on the basis that he had signed an attorney waiver - the right involved is too important to be ignored due to an attorney waiver signed by an applicant that honestly believes that the interrogation is for his own good. ... The facts is that this is a clear abuse of discretion ... a premeditated process - denominated as: "Reasonable Fear interview" - interrogation by a federal agent - or - Merits Hearing - interrogation by a federal agent - where the application Form - I - 589 - is denied to 85% of the applicants. ... Applicants sign an attorney waiver under duress ... the applicant have no money he/she wants to have an opportunity to apply for asylum if he/she do not sign the attorney waiver then such opportunity is denied ... of course he/she is coerced to sign an attorney waiver.

(8-01-13)

- Also take into consideration the fact that immigrants are vulnerable people with their mind full of grief...of confusion asking for clemency...for an opportunity to given a better life to their children...ignoring not only humiliations but extortion... torture... something is very wrong...the integrity... honor... virtue that represent this wonderful country has been left behind... equal justice for all- now is just a rhetorical emblem- tyranny has taken over, to wit:

- Landeros requested for an opportunity to obtain a Form I-589 application without being interrogated, so he can complete the questions in his privacy-without pressure, without the harsh environment upon which the interrogation takes place... And what happen? The government opposition is such that did not even care to be under official proceedings: to wit:

- After Landeros requested for an Attorney the government's justification for continuing with the interrogation was this:

"However the interview only continued after the AO's supervisor found that Landeros felt comfortable and had signed the attorney waiver form, Id. The AO also again confirmed with Landeros that he left comfortable proceeding with the interview." Id. at Page 3 of Gov. brief.

(8-04-13)

- This is a lie - the AO's supervisor never met with Landeros, so how the AO's supervisor found that Landeros felt comfortable to continue? The government not only lied once but several times in its brief, to wit:

Page 5-Gob. brief "(2) the AO stopped the interview and only resumed once he and his supervising officer confirmed with Landeros that he signed an attorney waiver form and was comfortable proceeding with the interview";

Page 10-Gob. brief: "In spite of his recission, the AO stopped the interview and only resumed after he and his supervising officer confirmed with Landeros that he had signed an attorney waiver form and felt comfortable proceeding with the interview".

The fact is that Landeros did not felt comfortable to continue with the interrogation - therefore asked for an attorney - the duty of the agent was and is just to stop and let the applicant to find legal counsel without more interrogation about whether the applicon signed an attorney waiver form or whether is comfortable to continue or not. Landeros obviously felt uncomfortable, he was not able to narrate his horrific dilemma he had suffered in Mexico ... Landeros wanted to narrate what happened to him in Mexico, but the officers conduct, pressure, harrassment did not allowed him to feel -

(10-0113)

comfortable, but he got overwhelmed by the pressure of the AOS questions.

- The opposition of the government to welcome immigrants through the asylum-or-withhold of removal or CAT, is very obvious - the governments brief on hand is a proving fact, to wit:

- Lying in an official document; allowing private governments interrogation in order to obtain the asylum application; etc., etc., supra.

- The fact is that Landeros was under duress ... Under coercion when he was interrogated by the government and immigration court - therefore he was not able to narrate his real dilemma that marked his life forever, his reason for requesting clemency - to be allowed to obtain asylum. ... Take notice the application form I-589 is for asylum, withholding of removal, and CAT, so the common name is asylum application - the immigration judge will determine which application apply. So whether you named asylum or other does not make administrative difference.

- Landeros horrific dilemma took place in Cuernavaca Mexico where him and 3 other friends of the same gender got ready for a weekend party. ... They all got female dresses,

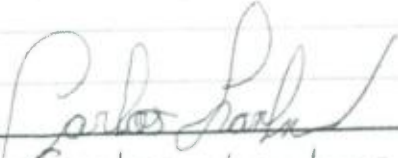
(107-of-13)

with their wig and all those extra arrangements females do to look prettier... one in particular had all the attributes females has - she was the cause of the horrific experience. It was around 11 P.M. - the nightclub was full, the party was at its prime-time - every-body dancing, the-male-female... the pretty-one was dancing with a drug cartel Kingpin who confused her with real female. After the Kingpin discovered that she was not a female the horrific problem began... All four of them were beating repeatedly for more than one hour - their dresses were taken-off - torn - ripped... cut-off with knives - after that fastened with ropes to pool tables - penetrated with the pool-stick while others kept beating them - up to death - after the fact 3 of them were placed in the police trucks and taken to the out-side of the city and just thrown-dumped... Likely Landero's was alive and was able to find help. This is only part of the horrific dilemma that Landero's suffered in Mexico - unfortunately Landero's is not able to narrate his horrific experience due to the fact that he gets very emotional and cries without being able to stop losing control of his state of mind. That is why he stated in his opening brief that he was not able to explain his horrific dilemma... Requesting therefore an opportunity to file an application without being interrogated, do it by himself in privacy.

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Therefore, Landeros respectfully present his
reply with the supporting material facts for
proper court's consideration... Respectfully
Submitted.

Executed this 9, day of August 2020



Carlos Landeros

(13-of-13)

The facts are clear upon the record, supra, and the fact is that Landeros was behind bars under slavery for 8 months -- **“Take Notice of such Fact”** ... and the fact is that Landeros has been under “Detention” with the ankle Monitor for 3 years ten months ... a total of detention for 4 years six months ... and the fact is that Landeros has been 4 years and six months under mental distress—infliction of cruel and unusual punishment ... **“Take Notice of such Fact.”** Plaintiff hereby will continue to present the Material Facts given support to the stated “Mental Distress” ... **“Infliction of Cruel and Unusual Punishment, to wit:**

**IN THE UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT**

CARLOS LANDEROS

Petitioner

Vs

MERRICK GARLAND,

United States Attorney General

Respondent

CASE # 19-72855

**SUPPLEMENTAL BRIEF IN
SUPPORT TO THE MATERIAL
FACTS UNDER QUESTION**

**AND
NOTICE TO PROCEED PRO SE**

NOW CAME, Carlos Landeros, (Petitioner), pro se, hereby, pursuant to his Constitutional Standing and administrative laws in the matter does move before this Honorable Court respectfully presenting his Supplemental Brief In Support to the Material Facts Under Question; and, hereby given NOTICE to proceed pro se, to wit:

I, Carlos Landeros the Petitioner hereby gives Legal Notice to the Fact that it is his personal choice to proceed, pro se, on his Case on hand, due to the lack of ethics . . . professionalism from Legal Counsels . . . no

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having other better choice his personal choice was to take care his case himself (Pro-se) . . . therefore hereby Legal Notice has been given.

MATERIAL FACTS

On October 13, 2019 Petitioner was placed behind bars in Adelanto California under the authority of the Executive Branch of the Federal Government . . . the subject matter on his detention was established, first due to his illegal status, and second by an International Treaty Agreement, an administrative civil due process given to noncitizens of the United States those in search of life protection. . . . Petitioner requested for Asylum under Article 3 of the United Nations Convention Against Torture- the Treaty. The government stated that in order to allow Petitioner to file an Application for Asylum and for Withholding of Removal Form: -I 589-he was to be submitted to a Reasonable Ferar Interview with an Asylum Officer. Petitioner was taken to a private meeting with the so call Asylum Officer where, after being interrogated for several hours, the Application for Asylum-Form I 589- was denied. The Asylum Officer directed Petitioner to appeal such negative action to the

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Immigration Judge . . . not an Article III Judge, but an administrative Officer of the Executive Branch of the Federal Government established under Section 3105 of the United States Code of Title 5. . . . Petitioner then had a hearing with the Immigration Judge where again the access to the Application Form- I 589 was denied. After the fact Petitioner petition the United States Court of Appeals from the Ninth Circuit and also filed a Motion for Stay of Removal . . . the Motion for Stay of Removal was granted. Petitioner's questions presented to the Court of Appeals was:

- 1)- Whether Asylum is a constitutional right or not?**
- 2)- Whether the Asylum questioner used by the ICE Officer for the Reasonable Fear Findings Interview is constitutional or not?**
- 3)- Whether Petitioner has a Fifth Amendment Right, but not Sixth Amendment Right?**
- 4)- And whether the Asylum Officer had a constitutional duty to stop the interview after Petitioner requested for an Attorney?**

Petitioner after the fact petitioned the Court for an Emergency Relief due to the COVID out of control situation . . . the Court granted his Petition and on the 3rd day of June 2020, Petitioner was released from behind bars

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custody and placed under detention Order of Supervision with an ankle monitor which in fact has been 42 months under such detention Order. So the final question is, to wit:

Whether the Executive branch of government have had perform their duty with integrity in the administration of the International Treaty Agreement for Asylum named as : "The Convention Against Torture". Petitioner hereby affirm that the Executive branch of federal government, have had and are violating their Oath of Office while performing their duty in the administration of the International Treaty Agreement, supra, infra, inflicting therefore punishment . . . torture to vulnerable people in search of wellbeing and life safety.

In answering such constitutional question we must begin with the foundation of Men's natural rights . . . and the Power of the United States of America . . . the Social document named es the Constitution of the United States, to wit:

Men has "equal" natural rights denominated by some people as "God Given Rights" . . . Life . . . Liberty . . . Property: Therefore being

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all equal and independent no one ought to harm another in his Life, Liberty, and or Possessions. . . . No one can be subject therefore to the inconsistent . . . uncertain . . . arbitrary will of an other man, or Country. . . . “MEN SHALL BE TREATED EQUAL BEFORE THE LAW MAN’S CONSTITUTIONAL STANDING”- Petitioner’s Standing before the Law.

The Constitution of the United States of America is the SOCIAL ORDER INSTRUMENT upon which all the power resides, therefore, offers and reenforces “EQUAL RIGHTS” ... “EQUAL JUSTICE” . . . to everyone regardless of their race, color, legal status, religion, gender, nationality, etc., etc., and to secure these rights the “BILL OF RIGHTS” was established and RATIFY as part of the United States Constitution. Therefore . . . The Constitution, The Bill of Rights including all its Administrative Law and Treaties made with other Countries became the SUPREME LAW OF THE LAND- Petitioner’s Constitutional right.

Now under the Constitution of the United States of America Article One, Section 8, states the following:

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“The Congress shall have the power to make all laws which shall be necessary and proper for carrying into execution the foregoing powers, and all other powers vested by this constitution in the government of the United States, or in any department or office thereof”.

Under this Article, *supra*, the United States Government has the power to make laws for the administration of the described permitted parameters under the Constitution of the United States, including administrative laws for its Treaties made with other Countries, to wit:

In 1988 the United States of America Government entered into an International treaty Agreement named as The Convention Against Torture (CAT). ... The power for the United States Government to entered into such International Agreement comes from the United States Constitution Article VI, which states:

“This Constitution, and the laws of the United States which shall be made in pursuance thereof, and all treaties made, or which shall be made, under the authority of the United States, shall be the supreme law of the land-(in part)”.

In fact in 1994 Former President Clinton completed the ratification of the same; and on October 21 1998 the Congress recognized Article 3 of the

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Convention Against Torture as the United States Supreme Law of the Land, therefore, enacted laws requiring the INS to issue administrative regulations for managing claims by noncitizens under CAT—see Pub. L. N. 105-227, Sec. 242. Also on February 19, 1999, the INS issued rules-LA Fed. Reg. 8478-96—which became effective as final rules on March 22, 1999- 64 Fed. Reg. 13881. . . . Therefore:

The question here is whether the Administrative Laws directed by Congress to be made by INS for that particular purpose, supra, are in fact or not conflicting with Constitutional parameters? . . . Petitioner hereby affirm that such administrative rules are in fact in direct conflict with Constitutional parameters therefore causing injuries to vulnerable people in search of life protection . . . in violation to the International Agreement and also in violation to Constitutional parameters, therefore causing pain and suffering to vulnerable people in search of life protection- such it is and has been the situation with Petitioner's case on hand, to wit:

First)- Sections 1225 (b); 1226 (a) and 1226 (c) of the United States Code of Title 8 authorizing prolonged detention are in direct conflict with Constitutional parameters. Prolonged detention issues were presented to

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the Ninth Circuit Court this Court although agreed that prolonged detention raised serious due process concerns did not resolved this constitutional violation allowing the Executive Branch to maintain immigrants behind bars for years and years . . . up to 6 or more years, great example is this case on hand . . . where Petitioner has been more then four years under detention part of such detention behind bars and the rest under supervision with an ancle monitor.

Second)- The Ninth Circuit and other Circuits including the Supreme Curt has done nothing to resolved this clear violation to constitutional parameters inflicting therefore Cruel and Unusual punishment to vulnerable immigrants for the sole purpose of private gain . . . detain in private institutions, privately managed . . . under the worst living conditions anyone can possibly imagine . . . without Due Process of Law . . . without legal representation . . . in a Country that preaches democracy around the World . . . a Country that has entered into several International Treaties ... Contracts agreeing to guarantee Due Process of Law to all citizens that may ask for protection . . . or for any other reasons that may be require . . . NONE OF WHICH HAS

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**HONOR . . . in violation of Constitutional parameters and their
International Treaties . . . Contracts, to wit:**

INTERNATIONAL RESPONSIBILITY

CHARTER OF THE UNITED NATIONS: We, the peoples of the United Nations, determined to save succeeding generations from the scourge of war which twice in our lifetime has inflicted untold suffering on mankind, to reaffirm faith in fundamental human rights, in the dignity and worth of the human person, in the equal rights of men and women and of nations large and small, to create conditions under which justice and respect for obligations arising from treaties and other sources of international law can be maintained, to promote social progress and TO RAISE THE STANDAR OF LIVING IN LARGER FREEDOM, and to this end, to practice tolerance and to live together in peace as good neighbors.

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The Charter of the United Nations was signed on June 26 1945 in San Francisco, at the end of the United Nations Conference on International Organization, and entered into force on October 24 of the same year. The Statute of the International Court of Justice is an integral part of the Charter.

Article 2 on the "Elements of an internationally wrongful act" states: "There is an internationally wrongful act of a State when conduct consisting of an act or omission: (a) Constitutes a breach of an international obligation of the State". . . . Such as the present situation where the United States of America is in violation not only to Constitutional parameters but to its International Agreements . . . Contracts therefore causing pain and suffering to people in search of life protection . . . such it is Petitioner's present dilemma.

The unlawful action of the State has a fundamental effect, which is the birth of the duty of reparation: "Every rule of responsibility, whatever its nature,

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contains in its interiority a purpose of reparation and punishment at the same time." . . . The obligation of States to make reparation in the event of an international wrongful act is regarded as one of the principles of public international law in the area of State responsibility. Its status as a principle of international law and, therefore, applicable as a source of obligations, has been enshrined by international justice between States and by the Inter-American Court of Human Rights: **"It is a principle of international law, which jurisprudence has considered 'even a general conception of law', that any breach of an international obligation that has caused damage entails the duty to make adequate reparation. Compensation, on the other hand, is the most common way to do this."** . . . Thus, it is now evident and not disputed that States are obliged to make reparation for breaches of international obligations in which they concur. **Such an obligation is a principle of public international law and a norm accepted by both the public and international legal systems ... specialized in human rights.** The International Law Commission has understood this and in its draft 17 A. Aguiar, op. cit., footnote 13, p. 157. 18 Velásquez Rodríguez Case – compensatory damages, para. 25. The Court also cites judgments of other courts in which the same doctrine has been upheld: CPJI, Chorzów Factory Case

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(1927), para. 21, and Chorzów Factory Case (1928), para. 29, and International Court of Justice (ICJ), Reparation for injuries suffered in the service of the United Nations (1949), para. 184. 19 D. Shelton, "The ILC's State Responsibility Articles: Righting wrongs: reparations in the articles of State responsibility," in ASIL 933(96), October 2002, pp. 835-837. 20 CPJI, Chorzów Factory Case (1928), para. 47. 21 Velásquez Rodríguez case – compensatory damages, para. 22.

The responsible State is obliged to make full reparation for the injury caused by the internationally wrongful act. . . . **Injury includes any damage, both material and non-material, caused by the internationally wrongful act of the State. The criteria for reparation established by public international law are restitution, compensation, rehabilitation and satisfaction and guarantees of non-repetition. . . . The United States of America has failed to manage this so important Treaty with integrity causing pain and suffering to vulnerable people in search of life protection . . . action defined as an "International Wrongful Act"-- to wit:**

The Convention Against Torture (CAT) "THE TREATY" IS THE SUPREME LAW OF THE LAND of the United States of America as well,

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supra, a Constitutional RIGHT THAT INCLUDES THE PROTECTION OF THE BILL OF RIGHTS for noncitizens of the United States that are looking for protection against torture in the United States of America, unfortunately this Treaty has been used for private gain, to wit:

INTERNATIONALLY WRONGFUL ACT

1)- Immigrants that are requesting to the United States of America for life protection are placed behind bars for more or less six years in private institution not managed by the federal government but by a private corporation . . . where:

a)- Food does not meet the adequate nutrients that are require for life survival, therefore forcing the immigrants to purchase food from the institution stores where the price is doble or triple from the regular price in the out side stores . . . putting a big burden to the immigrants' families, such it was the fact in this particular case on hand;

b)- Medical attention is poor and hard to get;

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c)- In the United States immigrants are not allowed to work but behind this bars they work for 20 or 30 dollars per month, such it was the case with Petitioner he work during his incarceration making one dollar per day;

d)- No legal assistance . . . according to the Federal Government immigrants have to get their own legal counsels at their own expense otherwise they have no legal representation . . . the Federal Government justify this criminal action by offering information on not for profit organizations that are overwhelmed with work and grief . . . which in fact is the seme of not having any legal representation . . . on top of this injustice the institution offered one hour per day five days per week access to a Law library ... a Law Library that is deficient on legal books and time;

e)- In order for immigrants to file an Application for Asylum and for Withholding of Removal- Form I 589, they are taken to a room where they are interrogated, an interrogation named a "Reasonable Fear Interview", such interview is done in privacy by an officer from the Executive

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department, if this officer, under his discretion, believes that the Applicant does not have sufficient evidences for his/hers claimed asylum then the officer will deny the access to the Application- Form I-589- so this Application Form- I-589 be came unreachable . . . protected by the "Reasonable Fear Interview" . . . which in fact it is in direct conflict with the International Agreement for Asylum that the United States of America ratify and agreed to manage with integrity . . . such action is also in direct conflict with Constitutional parameters, to wit: **"It is not admissible to do a great right by doing a little wrong . . . it is not sufficient to do justice by obtaining a proper result by irregular or improper means".** **"Interrogation of individuals in a dominated atmosphere . . . lawlessness in the eyes of justice ... a contemporary social problem ... interrogation and the psychology of confection ... an object of concern". . . .** **"An individual swept from familiar surroundings into a room surrounded by antagonistic forces, and subjected to the techniques of persuasion cannot be otherwise then under coercion". . . .** Therefore the "Reasonable Fear Interview" given to Applicants for Asylum is in direct conflict with Constitutional parameters, the Application for Asylum- Form I-589 shall be given to the applicants

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without being interrogated, then after the fact, reviewed for deficiencies by a judge . . . but the Form I-589 shall not be denied based on the discretion of someone that according to the facts is not there to manage this so important International Treaty with integrity, this action is in direct conflict with Constitutional parameters as well. So immigrants in search of life protection are placed behind bars in private institutions for more or less six years deceived by given them hope with an administrative process that is nothing but a show . . . a fraud . . . no medical attention, no adequate nutrias, enslaved, placed behind bars under civil proceedings without legal assistance, under an administrative due process administrated not by an Article III Judge but by officers of the Executive Branch of the Federal government that their task is not to administrate this so important Treaty with integrity but to deport the immigrants regardless of their circumstances, in fact according to reported records 99.7 % are denied access to the Asylum Application Form I-589, then deported ... in fact, this case on hand, is one of the 99.7% that was denied access to the Application Form I-589 . . . maintaining Petitioner under detention for over four years under mental distress . . . and not only in violation to the Bill of Rights but to his Constitutional right to obtain the Application Form- I-589 for his requested asylum due process:

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f)- Petitioner was for 8 months unlawfully behind bars ... under civil proceeding . . . under slavery . . . and still under detention for over 4 years . . . not knowing when this nightmare will end, to wit:

The Constitution of the United States of America is one of the must wonderful Legal Instrument in the World that offers protection for our fundamentals against unlawful acts from the government . . . in fact it is well-established that the Fifth Amendment entitles aliens to due process of law in any given proceedings given by the Department of Homeland Security (DHS) ... Demore v Kim, 538 U.S. 510, 523 (2003) (quoting Reno v Flores, 507 U.S. 292, 306 (1993)- “Freedom from imprisonment—from government custody, detention, or other forms of physical restraint – lies in the heart of the liberty that the Due Process Clause protects”—Zadvydas v Davis, 533 U.S. 678, 690 (2001) ... see also *id.* At (Kennedy, J., dissenting) – “Liberty under the Due Process Clause includes protection against unlawful or arbitrary personal restraint or detention”. ... This fundamental Due Process protection applies to all noncitizens, including both removable and inadmissible noncitizens—see *id.* At 721 (Kennedy J., Dissenting)—“both

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removable and inadmissible aliens are entitled to be free from detention that is arbitrary or capricious”.

The facts are clear upon the record. Petitioner has been for over four years begging for asylum . . . under arbitrary detention therefore under the infliction of cruel and unusual punishment in direct conflict with Constitutional parameters . . . as well as in direct conflict with International agreements . . . Contracts made by the United States of America therefore this action is defined as “International Wrongful Act”.

The fact is that the United States of America has failed to manage this so important Treaty with integrity causing pain and suffering to vulnerable people in search of life protection . . . action defined as an “International Wrongful Act” . . . therefore the United States is obliged to make full reparation for the injury caused by the internationally wrongful act. . . . Injury includes any damage, both material and non-material, caused by the internationally wrongful act . . . the criteria for reparation established by public international law are restitution, compensation, rehabilitation and satisfaction and guarantees of non-repetition. . . .

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On the other hand, supporting such material facts the government's position on this matter is to keep ignoring its International Agreement not only violating the same but constitutional parameters as well, to wit:

The government's "Brief" responding to the issues in question affirmed that: **"Landeros waives any challenge to the reinstatement of his prior order of removal and he does not present a valid legal or constitutional claim". . . . Stating that the AO officer concluded that Landeros did not have a reasonable fear of persecution or torture in Mexico . . . therefore referred Landeros' case to the immigration court because he requested that the immigration judge review the AO's findings-(What findings if Landero never was able to explain his dilemma). Also stating that: On November 7, 2019, Landeros appeared before an immigration judge, indicating that he was proceeding without a lawyer. . . . No choice the immigration administrative due process is offered to immigrants without a legal representation unless the immigrants can get an attorney but on their own expense therefore immigrants do not have legal representation therefore 99.7% of them are deported in violation of the U.S. - International Agreement as well as Constitutional parameters . . . the government's presumptive observation to the**

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constitutionality as well as the relevant facts respecting the persecution and or torture in Mexico is a clear example on their failure to manage with integrity this so important Treaty.

THEREFORE, Petitioner pursuant to the stated facts, supra, and his Constitutional Standing does move before this Honorable Court respectfully requesting to take legal notice on the stated facts, supra, and on the fact that the Form I-589 is the application for asylum ... denying the Application based on a preliminary "Reasonable Fear Interview" is an illegal premeditated action ... named as: "internationally wrongful act" and a violation to constitutional parameters that requires restitution, compensation, rehabilitation for those that has and are suffering injuries such as this case on hand ... and satisfaction and guarantees of non-repetition ... it is the law ... Petitioner is hereby requesting for justice.

EXECUTADA THIS 27 DAY OF NOVEMBER 2023



CARLOS ANTONIO LANDEROS LOPEZ

641 DESERT VIEW PALM SPRINGS CA.

92264

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CERTIFICATE OF COMPLIANCE

I, Carlos Landeros, do state and affirm, under the penalty for perjury that I has supplied a copy of the Motion hereby attached, via first class U.S. Postal Services to the following:

**MERRICK GARLAND ATTORNEY GENERAL
U.S. DEPARTMENT OF JUSTICE
950 PENNSYLVANIA AV. N. W.
WASHINGTON D.C. 20530-0001**

**U.S. DEPARTMENT OF JUSTICE
OFFICE OF IMMIGRATION LITIGATION
PO BOX 878, BEN FRANKLIN STATION
WASHINGTON D.C. 20044**

**DEPARTMENT OF HOMELAND SECURITY
OFFICE OF THE CHIEF COUNSEL
10400 RANCHO ROAD
ADELANTO CA. 92301**

EXECUTED THIS 27DAY OF NOVEMBER 2023



**CARLOS ANTONIO LANDEROS LOPEZ
641 DESERT VIEW PALM SPRINGS CA.
92264**

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CONCLUSION

A)-- The facts are clear upon the record, there is an international concern in reference to the immigration administration from the US government, where in fact the immigration administrative procedure is in direct conflict with the “Human Rights” ... GS&A-D.Villegas as defenders of the Human Rights are receiving complains where ICE Officers are physically beating up immigrants that refuse to sign their deportation making them to sign after the brutal assault, the worst part about this criminal conduct is that the ICE Officers do this criminal action in front of the rest of the immigrants causing indignation that can be dramatic and at the end blaming immigrants for their conduct ... of course, the court and government, ignore their complaints, therefore protecting their officers, the fact is the immigrants are suffering such consequences without the protection of justice making them think that they in fact are inferiors in the eyes of justice, this tyrannical conduct from the US government does not belong to this wonderful country, the Fathers of the Constitution established a justice system that the World admire ... now tyranny is controlling and immigrants are suffering the consequences, justice became a private right. “Legal Notice is hereby given”;

B)-- In spit the “International Treaty Agreements” made by United States in reference to the “integrity” of the Human Rights immigrants are treated like a secondary race that can be enslaved by corporations without any concern and with the consent of the States and Federal government, such it was the case when Plaintiff was placed in that private prison own and managed by the private corporation-GEO-Secure Services, or other, supra, located in the State of California in the city of Adelanto where Plaintiff was enslaved, supra, for 8 months ... many immigrants are enslaved right now in those private detention centers without any concern about the Human Rights, without any concern about the foundation upon which this wonderful country was established ... the State or Federal governments care less about the Human Rights of the immigrants in violation to the Treaty Agreements therefore guilty of an “Internationally Wrongful Act” ... “Legal Notice is hereby given”;

C)-- The infliction of mental distress to immigrants in search of well being under the immigration’s administrative due process became a profitable business for private corporations, therefore the “due process” is a farse that offers hope to immigrants promising that they will remain in the

united states forcing them to tolerate being detain for years while those private corporation- GEO—CoreCivic—and others--are making billions of dollars from the suffering of those immigrants in search of life stability, in fact right now are tens of thousands of immigrants detained in those private institutions ... tolerating the torture with the promise that eventually will remain free in the united states when in fact their detention is for private gain, therefore the immigration administrative process is a farce premediated for the purpose of maintaining immigrants in those private institutions for years ... a profitable business from the “Kidnapping” ... “Exploitation” of immigrants in search of wellbeing. “Legal Notice is hereby given”;

D)-- The Country that preaches democracy around the World now are consenting slavery behind bars, for the sole purpose of private gain, proving fact can be found in this case on hand where he (Plaintiff) after he was detained by ICE officers and placed behind bars in that private institution was enslaved by the private corporation-GEO- under the consent of the federal and State governments, for 8 months Plaintiff work in the kitchen for one dollar per day. ... Behind the bars of that private detention center where immigrants are the working force for the

maintenance of the institutions ... immigrants that were detained because they did not had permit to work in the united states ... but after detained an placed in those private institutions there was no problem for them to work, in fact they were induced to work otherwise they were threatened to be immediately deported, in fact those that refused to work were and are in fact immediately deported ... there is in spite of their due process rights-this conspiracy ... this criminal conduct from a government that preaches democracy around the World is a proving fact that justice is a private tool for those “conspirators” to “Defraud the United States” those that are committing “Extortion” ... from those that are profiting without contemplating the Human Rights. ... “Legal Notice is hereby given”;

E)-- The Administrative Procedure Act (APA) governs the administrative procedures implemented by any executive branch agencies, such as the Department of Homeland Security (DHS) ant its agencies. Title 5 of the United States Codes governs the APA administrative procedures. Therefore the immigration administrative law judges are required to conduct proceedings in accordance with section 551--559 of the United States Codes of Title 5 (5 USC-Sec. 551--559). Based on such stated fact the public servants of the Executive Branch also has, under “Oath”-5

USC-Sec. 3331- a “Duty” to observe with care constitutional parameters. In fact the government in general has no power of discretion ... all government’s public servants are creatures of the law, so every action they make has to be under the parameters of the law, constitutionally and administratively, including observing “Ethical” standards. ... So there is no room for discretion. ... So when immigrants requested for “Asylum” why they are taken to a private interview named as: “Reasonable Fear Findings” instead of giving them the Application Form-I-589- without being interrogated ... the “Asylum” is an “International Treaty” which according to the “Fundamental Law” is a constitutional right for those an need of life protection ... the government affirm that there is no constitutional right to asylum ... that asylum is granted by statute to foreign nationals ... that asylum is a discretionary relief ... that asylum is not a “”matter of right under any circumstances but rather in al cases a matter of grace”. ... The government honestly believe that the United States of America is a Monarchy. ... There is no other way to interpret their statements and actions. ... The fact is that the United States of America has the most wonderful fundamental Instrument in the World an Instrument that contemplated the Human Rights unfortunately the evils of corruption are taken away those fundamentals injuring

innocent people therefore guilty of an “Internationally Wrongful Act” that requires full reparation. ... “Injury includes any damage, both material and non-material, caused by the Internationally Wrongful Act ... the criteria for reparation established by public international law are: “Restitution” “Compensation” ... “Rehabilitation” ... and “Satisfaction” ... and “Guarantees of non-repetition”. ...

Now Plaintiff was behind bars in a private institution for 8 months ... placed there by the government ... for the administrative procedures given to immigrants but such private institution forced Plaintiff to work for one dollar per day, in fact, this criminal action is under the consent of the government ... this action is one of the most hated by the “Human Rights” ... tens of thousands of immigrants were and are suffering this malicious act—slavery—prohibit by the US Constitution Article of Amendment XIII. ... Also the administrative procedures given to immigrants is in direct violation of the Bill of Rights causing therefore pain and suffering to innocent people in search of wellbeing, to wit:

FIRST CAUSE OF ACTION

“Conspiracy to Defraud the United States”

The government, public attorneys, not-for-profit organizations, and private corporations, in conspiracy with one and other maintain tens of thousands of immigrants behind bars, in private institutions, for months and years for the sole purpose of private gain ... therefore defrauding the United States with billions of dollars, in violation of United States Codes of Title 18, and others, and undermining constitutional parameters. This conspiracy has been going on for very long time, causing irreparable injuries to immigrants.

The government, public attorneys, not-for-profit organizations in conspiracy with one and other manipulates the immigration administrative procedures for the sole purpose to impose their will ... protecting private gain, maintaining tens of thousands of immigrants behind bars under slavery ... under extortion ... kidnapped for exploitation therefore under torture ... discriminated for being immigrants. ... This horrific actions undermines constitutional parameters, as well as the congressional United States Codes ... in violation of the government’s “Oath of Office” where they sworn to “Faithfully execute the Laws of the united States”, and to “Respect and Protect the Constitution”. ... Causing irreparable

injuries to immigrants and to International Treaties made for the
“Protection of the Human Rights”;

SECOND CAUSE OF ACTION

“OBSTRUCTION OF JUSTICE”

Obstruction of Justice is a “Tyrannical” action against “Human Rights”
there is many forms to obstruct justice ... and there is many reasons as
well, in this “Civil Complaint” ... “Private Gain” is the purpose, to wit:

a)- In this private detention centers where immigrants are deprived of
their freedom, according to the government, for proper “Due Process of
Law” ... when in fact is for “Private Gain” ... One hour per day five
days per week access to the law library ... a law library that it is deficient
for legal research. ... Copies for legal instruments that are required by
the court are made upon request ... but immigrants have no control of
their legal documents ... and copies are made according to their
discretion and under totally scrutiny ... a clear “obstruction of justice”;

b)- Legal Mail is always tampered ... opened not in front of the immigrant ... taking the envelopes from their legal mail, legal mail always under their scrutiny and control, in fact, the officers hold the legal mail for weeks so immigrants cannot comply with the court's orders, obstructing justice for the sole purpose of proibate gain;

c)- The immigration administrative law judges manage their duties under pure discretion ... ignoring constitutional parameters, as well as congressional administrative law---5 USC Sec. 551--559 ... ignoring the real dilemma of those immigrants that applied for Asylum sending them to the slaughter ... a clear obstruction of justice ... also according to the BIA immigrants does not have the right to appeal their judgements, but immigrants can petition the court of appeals as their only alternative, which is totally wrong ... the United States Codes of Title 5 offers many administrative remedies due to the fact that it is the administrative law for the administration of the business of the executive branch of government, but seems that obstructing justice is a common practice;

d)- the administrators of the immigration law, private attorneys, not-for-profit organizations ... manipulating the immigration administrative law as well as the appeal's rules have taken control of the outcome of the immigration cases ... obstructing justice for the sole purpose of private gain ... in violation of the United States Codes of Titles 18, 5, and others. Violations to constitutional parameters ... the Bill of Rights, particularly Amendments I, IV, V, VI, VIII, and XIII ;

THIRD CAUSE OF ACTION

VIOLATION TO ARTICLES OF AMENDMENT XIII AND VIII

Immigrants after detained by ICE and placed behind bars in those private institutions they automatically become part of the internal work force for the maintenance and other needs of the institution, some of them get pay one dollar per day others 20 dollars per month in violation of Article of Amendment XIII-Slavery, supra, also immigrants that has been incarcerated by the federal government for criminal conduct after those immigrants finished their sentence then they are delivered to ICE for deportation but ICE will place them behind bars again, according to ICE for their administrative deportation procedure, some of them spend

months dealing with such administrative procedure ... in violation to their Human Rights ... this criminal action is a proving fact of the conspiracy to maintain immigrants for long periods of time in those private institutions, the government instead of administrating their deportation procedures within the BOP's institutions so when the prisoner finished his sentence will either immediately be deported or let free in the united States respecting Human Rights particularly from a country that preaches democracy around the World ... but private profit became more important than Human Rights.

Plaintiff was for more or less 8 months behind bars under slavery, due to the COVID dramatic situation Plaintiff was partially released by a Court order ... partially released due to the fact that Plaintiff still under physical restraint in violation of the Human Rights ... therefore Plaintiff has been under the government detention for more or less five years ... five years of cruel and unusual punishment ... infliction of mental torture, to wit:

MEN'S RIGHTS: Men has natural rights ... therefore being all “equal” and “independent” no one ought to harm another in his “life” , “health”, “liberty”, and “property” ... therefore no one can be subject to the inconsistent, uncertain, unknown, arbitrary will of men in power—government, to wit:

GOVERNMENT POWER: The Constitution of the United States of America, is a “social order instrument” upon which all the power of the “People” resides ... and offers and reenforce, “Equal Rights” “Equal Justice” to every one regardless of their race, legal status, color, gender, religion, nationality, etc., ... and in order to protect and secure these rights the federal government was created and established. ... Therefore, the federal government having no existence but under the Constitution, nor any rights, but such as the instrument confers, and those very rights being in fact duties ... it cannot possess no legitimate power, but such as absolutely necessary for the performance of their duties ... prescribed and enjoined by the Constitution. ... Its duties became the exact measure of its powers. ... Therefore, under what authority the federal government detain aliens and placed them behind bars in

private institutions under civil procedures for months and years, and under slavery consented by the government ... under deplorable conditions ... without observing constitutional parameters? ... The fact is that there is no lawful power from Congress, Executive, or Judicial branches of government to detain immigrants without the fundamental standards established for depraving any body of their liberty ... therefore, to suggest that the government has the power to detain immigrants for months and years under congressional statutory provisions, or immigration's officers discretion, or from precedents-case law ... is to suggest that the government is greater than the Constitution from which it was established.

Plaintiff was placed, for 8 months, in that private institution, by the government, where after the fact was stripped of all his constitutional rights ... given instead a fake immigration administrative due process created for the sole purpose of private gain, supra, on top of this infliction of mental distress Plaintiff was enslaved; discriminated; extorted. Kidnapped for the sole purpose private gain, supra. ... Plaintiff on March 2020 presented to the court of Appeals of the Ninth Circuit an "Emergency Petition" claiming that his life was in danger due to the COVID-19

dilemma and place of confinement, supra, ... the Cour of Appeals on June 2020 granted Plaintiff's requested relief ... Plaintiff has been since then under "Detention" ... with an ankle monitor under the supervision of the government ... almost five years under the infliction of cruel and unusual punishment. ... Freedom from government custody lies in the heart of the liberty that the Due Process Clause protects ... that includes protection against unlawful or arbitrary personal restraint or detention such it has been and is the torturous situation that Plaintiff has being suffering for almost five years.

Plaintiff is one out of the tens of thousands that has and are suffering the same stated torturous discrimination, supra, a torturous discrimination that in spite of the fact that is obvious ... evident, supra, the government refuse to recognize ... therefore, Plaintiff hereby present this over one hundred and fifty pages "Memorandum of Record Complaint" where all the supporting "Material Facts" will uncover the violations to the united states constitution and bill of rights; conspiracy to defraud the united states; fraud upon the court; obstruction of justice; torture; extortion; slavery; discrimination; exploitation; kidnapping; infliction of cruel and

unusual punishment -- all these criminal conduct for the sole purpose of private gain, to wit: ... where private corporations conspired to make billions and billions of dollars out of the exploitation and suffering of vulnerable people in search of protection from the "Treaties Agreements" made by the United States of America where the United States signing a "Contract" agreed to respect "Human Rights" offering "Asylum" "Withholding of Removal" under the Convention Against Torture to those an need of life protection ... and the United States government instead of honoring such Treaty Agreement conspired to defraud the immigrants and the integrity of the United States proffering from this Human Rights Treaty, supra, therefore, the United States government is guilty of an "Internationally Wrongful Act". ... Therefore, is obligated to make full reparation for the injury caused by the internationally wrongful act. . . . Injury ... of course, includes any damage, both, material and non-material, caused by the internationally wrongful act of the United States of America. ... Therefore, we must take into consideration that the criteria for reparation established by public international law are: "Restitution" ... "Compensation" ... "Rehabilitation"

“Satisfaction” ... and, of course, “Guarantees of non-repetition”. ... Reviewing the “Material Facts” hereby presented supporting the violations to constitutional parameters, and International Treaties Agreements ... as well as the “Conspiracy” to defraud the United States for the sole purpose of private gain causing therefore, injuries to immigrants protected by the Human Rights will support a “Class Action Complaint” ... due to the fact that all the immigrants detained by the government are suffering the same unlawful consequences, but, General Services Defensores de los Derechos Humanos & Above A. C. -D. D. Villegas- in spite of the fact that to defend human rights is their fundamental responsibility considers that a Class Action will be tremendously problematic for the government and will create more immediate problems than solutions therefore gradually resolving the issues in question will be an act of good faith ... an act of respect to our fundamentals, therefore, those acts that require immediate solution will be the following:

1)-- Reasonable compensation for the “Injury in Fact” that Plaintiff had suffered for being enslaved for more or less eight months ... enslaved by the corporation GEO GROUP INC.-(aka)-GEO SECURE SERVICES, et al, under the consent of the federal government;

2)-- Reasonable compensation for the “Injury in Fact” that Plaintiff had suffered for being placed behind bars under “civil process” for more or less eight months ... and for the more or less four years of “arbitrary restraint” therefore, under infliction of mental distress;

3)-- Reasonable compensation for the “Injury in Fact” that Plaintiff had suffered for the violation of his Human Rights ... his “Fundamentals” those that the President and Attorney General solemnly swore that faithfully will protect and defend ... their failure in fact is the cause of Plaintiff’s suffering ... infliction of mental distress;

4)-- The negotiation of Plaintiff’s injuries can be defined as soon is the government agreed to negotiate ... but if the government disagreed then this Civil Action mut be “Classified” so the Jury can resolve the future of the immigrants that are and had been under the, supra, stated conditions;

5)-- If the government agreed to negotiate without a Jury trail then the government must with a reasonable time stop the slavery of the immigrants behind bars ... and those corporations under contract with the government for the care of those immigrants must employ workers respecting the established law for the same;

6)-- If the government agreed to negotiate without a Jury trail then the government must with a reasonable time define the time that under our fundamentals and Law is consider not to be “punitive” for the detention and placement of immigrants behind bars;

7)-- If the government agreed to negotiate without a Jury trail then the government must with a reasonable time establish administrative procedures respecting their fundamentals for those prisoners that are deportable and had finished their sentence so they instead of being liberated as their rights required are being placed under detention by ICE for the administration of their deportation in violation of their constitutional rights as well of the unnecessary waste of tax money ... the solution for this matter is to resolve their deportation two years before their due time for their release day ... so the day of their release be liberated in the U S or deported without any infliction of mental distress avoiding violations to their fundamentals and saving tax money to the Citizens of the US;

8)-- If the government agreed to negotiate without a Jury trail then the government must with a reasonable time establish administrative procedures contemplating the deportation as punishment for those immigrants that had obtained legal status in the United Staes and has been convicted of a crime ... this punishment has not being contemplated as part of their “Plea Agreement” or part of the Jury’s administration of justice therefore has been an infliction of cruel and unusual punishment or punishment inflicted without contemplating the Bill of Rights’ Due Process;

9)-- If the government agreed to negotiate without a Jury trial then the government must with a reasonable time establish administrative procedures allowing immigrants that had requested for "Asylum" to immediately obtain the Asylum Application- I-589 as well as an Attorney for the protection of their Fundamental Rights, after the fact, had an immigration administrative Judge review the Asylum Application-I-589 for proper evaluation of the presented material facts supporting their claimed asylum, including proper administration for their appeals so there is no doubt about the judgement made;

10)-- Immigration is caused by governments' actions ... it is a recognized fact that citizens never leave their country or home town unless are forced based in their circumstances, in fact that is true considering that governments agreed to allowed foreigners corporations to established their manufacturing facilities in those poor countries exploding the cheap labor, such it has been the situation where corporations of the United States of America are taken advantage of such human rights violation, where the labor make less then one hundred dollars per week, and that worst part about it is that such corporation under fraud avoid given those labors health plans ... making their life miserable ... and the result is massive immigration to where they think will have a better life. ... So immigration is caused by the corrupted governments ... it is not caused by immigrants but by the corrupted governments and what the governments do? Blaming the immigrants that are placed behind bars under criminal laws that justify punishment ... such as the Law SB4 made by the State of Texas which in fact it is totally unconstitutional ... due to the fact that this power was given to the federal government and taken from the States

of the union ... in fact “Legal Notice is hereby given”. Stop blaming immigrants and take full responsibility for your actions and cure the problem caused by the governments’ corruption.

The administration of justice always contemplate the integrity of the Human Rights ... and the United States was founded under those principals ... therefore, it is a fact that the evils of corruption had penetrated our fundamentals in the administration of justice for immigration, after taking notice hereby given, supra, well supported in this Memorandum of Record ... it is the government “duty” to immediately take action for the correction of such governments’ fundamental deficiency. ... If the government disagreed than Jury Trial shall be schedule as soon as possible.

EXECUTED THIS FIRST DAY OF APRIL 2024


CARLOS LANDEROS LOPEZ

S

SS// D Damian Villegas
LEGAL REPRESENTAIVE OF GENERAL
SERVICES DEFENSORES DE LOS
DERECHOS HUMANOS & ABOVE A.C.

EXHIBIT-1

POWER OF ATTORNEY

GENERAL POWER OF ATTORNEY

KNOW ALL PERSON BY THESE PRESENTS:

That I, **Carlos Antonio Landeros Lopez**, hereby makes, constitutes and appoints: **GENERAL SERVICES DEFENSORES DE LOS DERECHOS HUMANOS & ABOVE A.C.,-Dante Damian Villegas Lizalde**, to be my duly, true, and lawful agent, or lawfully appointed **Attorney in Fact**, granting unto said **Attorney in Fact** the full power and authority to do and perform any and all acts and/or things necessary or requisite to be done in furtherance of my interests, granting unto my **Attorney in Fact** a **Universal Power of Attorney** permitting said **Attorney in Fact** to act as full and for all intents and purposes as I might do if I were personally present. This **Power of Attorney** shall authorize my **Attorney in Fact** to act to manage and conduct all of my affairs and to exercise all of my legal rights and powers, including all rights that I may – acquire in the future... This power shall not be affected by subsequent disability or incapacity of the principal or by lapse of time. All acts done by my agent pursuant to this power during any period of disability or incapacity or uncertainty as to whether I am dead or alive shall have the same affect and insure the benefit of and bind me, my heirs, devisees and personal representatives as if were alive, competent and not disabled.

I hereby ratify all that my **Attorney In Fact** shall lawfully do or cause to be done pursuant to this power. I, **Carlos Antonio Landeros Lopez**, the

principal, sign my name unto this **Power of Attorney**, this: 13, day of January, 2024, and being first duly sworn, do declare to the undersigned authority that I sing it willingly, that I executed as my free and voluntary act for the purpose expressed in the **Power of Attorney** and that I am 18 (eighteen) years of age or older, of sound mind and under no constraint or undue influence.

Principal: Carlos Antonio Landeros López



I, CARLOS ANTONIO LANDEROS LOPEZ on this day, did solemnly, sincerely and truly swear that the various matters and things set forth in this legal instrument are true, and that I do this under the pains and penalties of perjury.

ASHLEY MENDEZ

Name of person administering

NOTARY PUBLIC

Title



Signature

See Attached
Certificate

CALIFORNIA ACKNOWLEDGMENT

CIVIL CODE § 1189

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California

County of

RIVERSIDE

On

01.13.24

Date

before me,

ASHLEY MENDEZ, NOTARY PUBLIC

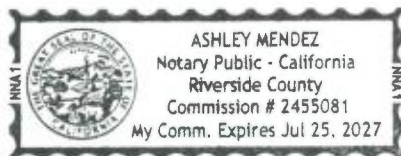
Here Insert Name and Title of the Officer

personally appeared

CARLOS ANTONIO LANDEROS LOPEZ

Name(s) of Signer(s)

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.



Place Notary Seal and/or Stamp Above

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature

Signature of Notary Public

OPTIONAL

Completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

Description of Attached Document

Title or Type of Document:

POWER OF ATTORNEY

Document Date:

Number of Pages:

Signer(s) Other Than Named Above:

Capacity(ies) Claimed by Signer(s)

Signer's Name:

Signer's Name:

☐ Corporate Officer – Title(s):☐ Corporate Officer – Title(s):☐ Partner – ☐ Limited ☐ General☐ Partner – ☐ Limited ☐ General☐ Individual☐ Attorney in Fact☐ Individual☐ Attorney in Fact☐ Trustee☐ Guardian or Conservator☐ Trustee☐ Guardian or Conservator☐ Other:☐ Other:

Signer is Representing:

Signer is Representing:

EXHIBIT-2

**GS&A-D, VILLEGAS
CIVIL ASSOCIATION ARTICLES**

- - - - - WRITING NUMBER - - - - -
- - - FORTY-EIGHT THOUSAND ONE HUNDRED SEVENTY-NINE - - -
- - - VOLUME ONE THOUSAND NINE HUNDRED AND SIXTY-TWO - - -
IN THE CITY OF GOMEZ PALACIO, STATE OF DURANGO, to the (8)
eight days of the month of August of the year (2022) two
thousand twenty-two, before me. Mr. OCTAVIANO RENDON ARCE,
Notary Public Number (3) three and of the Estate Federal
Real Estate Agent, in office for this District.- - - - -
- - - A P P E A R: Messrs. DANTE DAMIAN VILLEGAS LIZALDE,
JOSE CANDIDO ADAME AGUIRRE, SUGHEY GUADALUPE MARTINEZ
GONZALEZ AND FÁTIMA CAMPISTA GRANADOS, whose generals will
be mentioned later.- - - - -
- - - The appearing parties identify themselves before the
Undersigned Notary with the documentation indicated in the
general ones, and whom I consider to have sufficient legal
capacity to contract and be validly bound, not knowing
anything in contrary, of which I attest, as well as that:-
- - - S T A T E: That they have agreed to formalize a
CIVIL ASSOCIATION CONTRACT, in the following terms:- - - -
- - - - - C L A U S E - - - - -
- - - SINGLE. The appearing parties whose names have been
specified, constitute by this act, an ASSOCIATION CIVIL,
in accordance with the corporate statutes, which duly
signed are added to the appendix to this writing, under
the letter "A", forming an integral part of the same, to
reproduce itself in the testimonies that of the present
are issued Society has the characteristics that Below are
mentioned:- - - - -
- - - I.- DENOMINATION.- "GENERAL SERVICES-DEFENSORES DE
LOS DERECHOS HUMANOS & ABOVE" ASOCIACIÓN CIVIL.- - - - -
- - - II.- ADDRESS.- Gómez Palacio, Durango.- - - - -
- - - III.- DURATION. (99) ninety-nine years.- - - - -
- - - IV.- OBJECT. The corporate purpose will be the one
It is contained to the letter in the corporate statutes.-
- - - I attest that in this act the appearing, out loud,

said object and express their compliance with the same.- -

- - - **V. NATIONALITY.**- The company is Mexican. In relationship with foreign investment in the capital of the society, the following must be taken into account:- - -

- - - **a).** Forsign investment can participate in any proportion in the social capital of the Mexican companies, acquire fixed assets, enter new fields of economic activity or manufacturing new product lines, open and operate establishments, and expand or relocate existing ones, without further reservations, modalities, nor exceptions other than those indicated by the fifth, sixth, seventh and eighth articles of the Law of Foreign Investment and applicable transitional periods.- - - - -

- - - **b)** The Company must ensure that its object in the future does not invade the activities reserved for the State, the which are contained in the fifth article of the Law of Foreign Investment and must also monitor whether, in its case, the minimum of this must be increased, in the cases contained in the sixth, seventh and eighth articles of the Foreign Investment Law and applicable transitional provisions.- - - - -

- - - **c)** For foreign investment to participate in more than forty-nine percent in the share capital of the company that carries out any of the activities that are contained in the eighth article of said Law, it will be required obtain the authorization referred to in said provision The same applies to the cases provided for in the article nine of the aforementioned Law.- - - - -

- - - **d)** Current or future foreign shareholders of the company, are obligated before the Secretary of Foreign relations to be considered as national regarding:- - - - -

- - - **I.-** The shares they acquire in the company:- - - - -

- - - **II.-** The assets, rights, concessions, shares or interests owned by the society, and;- - - - -

- - - **III.-** The rights and obligations derived from the contracts to which the company itself is a party no longer

invoke for the same the protection of their governments under the penalty, otherwise, of losing to the benefit of the Nation the rights and assets that they have acquired.-

- - - - - **TRANSITIONAL RESOLUTIONS** - - - - -

- - - The grantors constituted in the First Assembly General of associates, unanimously take the following:-

- - - - - **A G R E E M E N T S** - - - - -

- - - **FIRST.-** It was unanimously agreed that the Board of Directors is formed as follows:-

- - - **PRESIDENT: DANTE DAMIAN VILLEGAS LIZALDE.-**

- - - **VICE PRESIDENT: SUGHEY GUADALUPE MARTINEZ GONZALEZ.-**

- - - **SECRETARY: JOSE CANDIDO ADAME AGUIRRE.-**

- - - **TREASURER: FÁTIMA CAMPISTA GRANADOS.-**

- - - Likewise, the grantors constituted in this act in General Assembly agreed to grant the Council of Administration composed of Messrs. **DANTE DAMIAN VILLEGAS LIZALDE, JOSE CANDIDO ADAME AGUIRRE, SUGHEY GUADALUPE MARTINEZ GONZALEZ and FÁTIMA CAMPISTA GRANADOS** powers set forth in the Thirtieth Article of the Social Bylaws which are reproduced here as if the letter were inserted in obvious repetitions.-

- - - **SECOND.- SOCIAL EXERCISES.-** For all purposes, it is established that the assembly of associates, has the power to set or modify the start and end dates of the exercises social, and will begin and end as determined the Ordinary Assembly of Associates and being constituted the same, it is established that they will be for one calendar year that will count from the first day (1st) of January to (31st) December thirty-first of each year, with the exception of this first fiscal year that will begin on the date of signing of this deed and it will end on December (31) of (2022) two thousand twenty-two.-

- - - **THIRD.-** The associates state that in the expression of their wills, there is no error, fraud, injury or violence, nor any vice in the formation of their consents and with manifest waiver of the jurisdiction that may

correspond to them by reason of their domicile in the present or in the future, submit to the courts of this City, and the Laws that govern the State of Durango, for the interpretation and compliance of this contract.- - - -

- - - - **PERMISSION FROM THE SECRETARY OF ECONOMY** - - - - -

- - - The respective permission of the Ministry of Economy, will be added to the appendix of this deed, under the letter "B", and will be reproduced in the testimonies of the present are issued.- - - - -

- - - - - **G E N E R A L** - - - - -

- - - The appearing parties demonstrate for their generals Under Protest of Telling the Truth, each, the following:-

- - - Mr. **DANTE DAMIAN VILLEGAS LIZALDE**, Mexican, businessman, single, originally from Encino de la Paz, Municipality of Ocampo, Durango, with date of birth on the thirteenth day of December of the year (1976) one thousand nine hundred and seventy-six, with address at Avenida Ryerson number (331) three hundred thirty-one, (6) six, Central Zone, in the City of Ensenada, Baja California, Postal Code (22800) twenty-two thousand eight hundred, and transit in this City, up to date with the payment of the Income Tax, without having accredited it, and who identify yourself with your photo voting card issued by the National Electoral Institute with number 2107219534 (two, one, zero, seven, two, one, nine, five, three, four), OCR 0048127867374 (zero, zero, four, eight, one, two, seven, eight, six, seven, three, seven, four), with Unique Population Registry Code VILD761213HDGLZN09 (letters V, I, L, D, seven, six, one, two, one, three, letters H, D, G, L, Z, N, zero, nine), with Federal Taxpayer Registry number VILD761213RLA (letters V, I, L, D, seven, six, one, two, one, three, letters R, L, A).- - - - -

- - - Attorney **SUGHEY GUADALUPE MARTINEZ GONZALEZ**, Mexican, single, originally from Ensenada, Baja California, with date of birth on the twenty-third (23rd) April of the year (1997) one thousand nine hundred and

ninety-seven, with address in Pedro Fabián number (333-3) three hundred thirty-three dash three, from Colonia Punta Banda 3 Ensenada, Baja California, and traffic in this City, current in the payment of Income Tax, without check it, who identifies himself with Voting Credential number 1878746791 (one, eight, seven, eight, seven, four, six, seven, nine, one) OCR 0116099886577 (zero, one, one, six, zero, nine, nine, eight, eight, six, five, seven, seven), issued by the National Institute Electoral, with Unique Population Registry Code MAGS970423MBCRNG00 (letters M, A, G, S, nine, seven, zero, four, two, three, letters M, B, C, R, N, G, zero, zero), and with Record Federal of Taxpayers number MAGS970423J69 (letters M, A, G, S, nine, seven, zero, four, two, three, letter J, six, nine).- - -

- - - Mr. **JOSE CANDIDO ADAME AGUIRRE**, Mexican, lawyer, married, originally from Francisco Zarco, Municipality from Canatlán, Durango, with date of birth on (23) twenty-third June (1956) one thousand nine hundred and fifty-two six, with address at Calle Paseo De La Lava number (35) thirty-five, from the Rincón Del Pedregal subdivision (1) one, Postal Code (35014) thirty-five thousand fourteen, of this City, up to date in the payment of the Income Tax, without having accredited it and who identify yourself with your photo voting card issued by the National Electoral Institute with number 1744479703 (one, seven, four, four, four, seven, nine, seven, zero, three), OCR 0449013538556 (zero, four, four, nine, zero, one, three, five, three, eight, five, five, six), with Unique Registration Code Population AAAC560623HDGDGN08 (letters A, A, A, C, five, six, zero, six, two, three, letters H, D, G, D, G, N, zero, eight), with Federal Taxpayer Registry number AAAC560623JC3 (letters A, A, A, C, five, six, zero, six, two, three, letters J, C, three).- - - Miss **FATIMA CAMPISTA GRANADOS**, Mexican, single, originally from this City, with the date of birth on (24) twenty-fourth of September, (1999) one thousand

nine hundred ninety-nine, with domicile at Rumania Street number (120) one hundred and twenty, in the Colony Nuevo Los Álamos, Postal Code (35027) thirty-five one thousand twenty-seven, of this City, up to date in the payment of the Income Tax, without having been accredited and who identifies himself with his credential to vote with photograph issued by the National Electoral Institute with number 1651320400 (one, six, five, one, three, two, zero, four, zero, zero), OCR 0445119252722 (zero, four, four, five, one, one, nine, two, five, two, seven, two, two), with Unique Registry Code Population CAGF990924MDGMRT00 (letters C, A, G, F, nine, nine, zero, nine, two, four, letters M, D, G, M, R, T, zero, zero), with Federal Taxpayer Registry CAGF990924FZ5 (letters C, A, G, F, nine, nine, zero, nine, two, four, letters F. Z, live).- - - - -

- - - I. THE UNDERSIGNED NOTARY, STATE AND ATTENTION:- - -

- - - a).- The truth of the act. - - - b).- That the appearing parties were identified with the documentation indicated in its generals and whom I conceptualize with the sufficient legal capacity to carry it out.- - - c).- That I have had in view the documents of which has been mentioned and that everything related and inserted faithfully agrees with its originals to which referd.- - -

d).- That I warned those appearing of the obligation that they have to present the Testimony that This Deed is issued in the Public Registry of the Corresponding property for registration in the Respective section.- - -

e).- That I read this deed to those appearing and well taxes of their value, force and legal consequences thereof, with its content agree, ratifying it and signing it before me.- I attest. - - - - -

DANTE DAMIAN VILLEGAS LIZALDE.- Illegible signature.-

SUGHEY GUADALUPE MARTINEZ GONZALEZ.- Illegible signature.

JOSE CANDIDO ADAME AGUIRRE.- Illegible signature. FATIMA

CAMPISTA GRANADOS. Illegible signature.- - - - -

Dated (H) August eight of the year (2022) two thousand

twenty-two, I definitively authorize with my signature and seal the writing that precedes, by virtue of having been signed the same.- I attest.- - - - -

LIC. OCTAVIANO RENDON ARCE.- NOTARY PUBLIC NO. 3 AND OF FEDERAL REAL ESTATE ASSETS.- illegible signature.- Seal Authonze of the Notary.- - - - -

APPENDIX DOCUMENTS - - - - -

ANNEX LETTER "A" - - - - -

S T A T U T E S - - - - -

NAME, ADDRESS, DURATION, PURPOSE - - - - -

FIRST ARTICLE - - - - -

- - - The association will be called "**GENERAL SERVICES-DEFENSORES DE LOS DERECHOS HUMANOS & ABOVE**", must go followed this denomination of the words "**ASOCIACIÓN CIVIL**", or its abbreviations "AC" and is defined as a Organization of Civil Society with purposes predominantly educational, social and welfare, non-profit, nor partisan proselytizing poltical-electoral or religious and will not accommodate within to any discrimination of a religious, social or racial.- - - - -

SECOND ARTICLE - - - - -

- - - The registered office of the association for all social effects, will be in this Cry, being able to carry out its programs, projects or activities in any other place of the Mexican Republic without for this reason understand that your address has changed.- - - - -

ARTICLE THREE - - - - -

- - - The duration of the Association will be (99) ninety-one nine years, starting from the date of the articles of incorporation of the Asociation.- - - - -

ARTICLE FOUR - - - - -

- - - Taking into consideration that human rights are the set of prerogatives supported by the human dignity, the effective realization of which is essential for the integral development of the person, and taking into consideration that this set of prerogatives are

established within the order national legal system, in the Political Constitution, treaties international laws and laws, human rights are characterized by having four principles that govern it: - - - - -

- - - 1.- **UNIVERSALITY:** Human rights correspond to all people equally regardless of condition socio-economic or political. - - - - -

- - - 2.- **INTERDEPENDENCE:** Each human right is seen linked with others, which implies that respect and exercise of one, is also for other rights. - - - - -

- - - 3.- **INDIVISIBILITY:** Human rights have a indivisible character, since they are only possible in a joint. They are also inherent to human beings. - - - - -

- - - 4.- **PROGRESSIVITY:** Refers to the fact that human rights They evolve together with society always taking into consideration the pro persona principle. it implies a prohibition on their retreat. - - - - -

- - - Human Rights and the Criminal Procedure, with the "new" accusatory criminal system, it seeks to watch over and protect in the most appropriate way possible these rights for all the people involved in it. Both the victims how the accused enjoy these rights during the criminal process, which guarantees prompt justice, appropriate and expeditious with the sole purpose of safeguarding your integrity and to clarify the facts as established by the Mexican legislation. - - - - -

- - - **In the Political Constitution of the United States Mexicans, article 20, section B of the Constitution Policy of the United Mexican States, contemplated the human rights of the Accused:** - - - - -

- - - **Presumption of innocence: Only until declared otherwise by means of a sentence issued by a judge.** - - - - -

- - - One of the novelties of the Accusatory Criminal System, launched several years ago, is the presumption of the innocence of person as a rule during the trial process trial, and will only be called guilty until a judge I

dictated it.- - - - -

- - - Under the Mandela rules, the **National Commission Human Rights** monitors and advocates for the respect of human rights of those accused and sentenced. The rules establish that inmates must enjoy security, decent living conditions within the center penitentiary, as well as the right to work, training for work, sports, education and health to achieve social reintegration.- - - - -

- - - Also article 20, section C of the Constitution establishes the rights of the victim or of the offended:-

- - - In commemoration of the 100 years of the human rights in the Mexican Constitution, the then executive secretary of the CNDH, declared that the **protection of human rights** has been strengthened with rules international that they complement and enrich the national ones.- - - - -

- - - All authorities within the scope of their competencies, they have the obligation to promote, respect protect and guarantee the human rights set forth in favor of the individual.- - - - -

- - - Therefore, the Association will have as its objective social:- - - - -

- - - 1. The association is non-profit in nature, since It is not predominantly economic in nature.- - - - -

- - - A) The association will ensure that the accused has Right to a defender or lawyer.- - - - -

- - - B) He will monitor because he has the right to a defense appropriate by the lawyer, who will freely choose even from the moment of his arrest.- - - - -

- - - C).- Will ensure that the accused are applied the rules of law, and therefore cannot be subjected to arbitrary detentions where the integrity is respected staff.- - - - -

- - - D). This right protects the accused from not being subjected to torture or ill-treatment, inhuman or degrading.- - - - -

- - - E) The Law will be monitored to ensure that a legal detention.- - - - -
- - - F) Will ensure that the right is applied to the accused be informed about your rights and the facts that are available to you charged, from the moment of their arrest until their appearance with the Public Ministry.- - -
- - - G) Will ensure that the Law is applied to the accused to be informed about the data you request for your defense and that they appear in the process.- - - - -
- - - H) Will ensure that the accused is informed of everything about his **Accusatory Criminal process**.- - - - -
- - - I) Will ensure that the accused has the right to have access to legal assistance since arrest.- - - - -
- - - J) Will ensure that the accused has a prosecutor impartial and objective during the process.- - - - -
- - - K) Will inform the accused of the right not to declare (to remain silent).- - - - -
- - - L) The right of the accused to declare or remain silent without this being able to be used to their detriment.- - - - -
- - - M) The right of the accused to be compensate for judicial error. This will be granted to the charged only if there was some moral damage or it was declared guilty despite being innocent and will have the right to a appeal. - - - - -
- - - N) **Right to be provided to the accused immigration assistance when it is of another nationality**.- - - - -
- - - Ñ) Support the accused to the Right to reintegration social.- - - - -
- - - O) Seek Defense, Promotion and research of Human Rights, as well as the study by media electronics, induction to Human Rights, everything from gender perspective all non-profit.- - - - -
- - - P) Work together to combat violations of Human Rights, and given the lack of knowledge of the themselves, help the most needy sectors of the population.- - - - -

- - - Q) The defense of Human Rights; and performing functions whose essential objective is defense and observance of Human Rights, promoting complaints and orientation.- - - - -
- - - R) Perform functions whose essential objective is the promotion, study and dissemination of Rights Humans and special programs.- - - - -
- - - S) Perform functions whose essential objective is research and academic exchange on the Human Rights and whose description is found in the National Center for Human Rights.- - - - -
- - - T) Provide education, induction and study of the Human Rights, and by electronic means at the level primary, secondary, high school, university, postgraduate and conferences designed for the most needy sectors.- - -
- - - U) Social work and social help to different sectors of the population.- - - - -
- - - V) Links with international organizations, educational authorities and federal and municipal governments state and foreign governments.- - - - -
- - - W) The common of our proposals and projects, are democratic, inclusive, non-profit, and They may be tax deductible.- - - - -
- - - X) Raise promotion at the educational level, professional and comprehensive of all people, especially the most unprotected and economically weak.- - - - -
- - - Y) The association will have as its field of action the urban and rural sectors in the municipality, state and level international; k) the defense by the association of Human Rights, without distinction of persons, respecting and promoting the principles that govern the Human Rights as universality, interdependence, indivisibility and progressivity.- - - - -
- - - Z). Raise and disseminate moral values and civic rights, family integration, the fight against addictions and pandemic diseases:- - - - -

- - - Z.1) The association may be a partner in companies of private or mixed public services and/or participate in any type of association such as temporary unions or consortia and in general associate with third parties for the creation or not of new legal entities or for participate in existing ones that aim to provision of the services or activities stated, including participation in corporate pledges future.- - - - -

- - - - - **ARTICLE FIFTH** - - - - -

- - - The Civil Association is of Mexican Nationality.- -

- - - - - **CAPITAL OF THE ASSOCIATION** - - - - -

- - - - - **ARTICLE SIX** - - - - -

- - - The association does not have share capital determined and will be held:- - - - -

- - - a) For entry fees, maintenance, support, etc., that the General Assembly of the Civil association.- - - - -

- - - b) For aid, sponsorships, donations, etc. that receives from its associates or from third parties, natural or moral, public or private.- - - - -

- - - c) For the use of movable property and real estate that you acquire by any legitimate title.- - - - -

- - - In any case, it is agreed by this Assembly "that will allocate all of their income to the purposes for those who were created. This provision is of a nature irrevocable".- - - - -

- - - - - **ARTICLE SEVEN** - - - - -

- - - The patrimony of the association, its assets and income, including public support and incentives that received, will be used exclusively for the purposes of the corporate purpose of the Association, not being able to grant benefits on the remainder distributable to person any person or its members, natural persons or morals, unless it concerns, in the latter case, some legal entity authorized to receive deductible donations in terms of the Income Tax Law or deal with remuneration for services effectively received. The association may not distribute

among its associates, remnants of public support and incentives that you receive. What is stipulated in this provision is irrevocable nature. - - - - -

- - - The Association lacks founding assets, will have the following resources: - - - - -

- - - 1°.- Entry fees. - - - - -

- - - 2°.- The monthly/annual installments set by the General Assembly. - - - - -

- - - 3°.- Subsidies from official organizations that in your case can perceive. - - - - -

- - - 4°.- Donations that may be free of charge receive, as well as inheritances or legacies from entities or individuals. - - - - -

- - - 5°.- With the acquisition of goods for any title, whether by purchase or sale of donations or even by chance of the Fortune. - - - - -

- - - 6°.- With the income received by the association for any other concept. - - - - -

- - - 7°.- With the economic benefits of the programs socioeconomic assistance and self-employment. - - - - -

- - - - - **OF THE ASSOCIATES** - - - - -

- - - - - **ARTICLE EIGHTH** - - - - -

- - - The Association will be made up of associates founders, active associates, collaborating associates and honorary associates, according to the following Specifications: - - - - -

- - - a) Founding Associates: are the associates who appear for the constitution of the association. - - - - -

- - - b) Active Associates: are those people collaborators with the Civil Association, which due to its special contribution are considered as such at the request of the Founding Associates and/or other Active Associate. - - - - -

- - - c) Collaborating Associates, these are the people who after having collaborated in the programs, projects and activities of the Association, are accepted as Collaborating Associates for the General Assembly of the

Association.- - - - -

- - - d) Honorary Associates: are the people who, for their special merits or for collaboration with the Association, are accepted as such by the Assembly General of Associates and/or the Administrative Council of the Association.- - - - -

- - - - - **ARTICLE NINTH** - - - - -

- - - The following will be requirements to be accepted as an associate: asset;- - - - -

- - - a) Submit a formal application for incorporation, alter having actively participated as a collaborator of the Association and comply with the provisions of the present statutes and other requirements indicated by the General Assembly of the Association.- - - - -

- - - b) To be a Collaborating Associate: Submit formal application and receiving the process of induction given by the Association and having collaborated satisfactorily in any Association program, comply with these statutes and other requirements that indicated by the General Assembly of the Association..- - - - -

- - - - - **ARTICLE TEN** - - - - -

- - - The Associates included in the classifications mentioned above or those established in the future, will be obliged to the following:- - - - -

- - - a) Comply and enforce the statutes and regulations of the Association and contribute to the development of its programs and the achievement of its corporate purpose.

- - - b) Promote and preserve the spirit of loyalty, integration and mutual help among members of the Association.- - - - -

- - - c) Defend and disseminate through the media at your disposal. achieve the principles, goals and programs of the Association.- - - - -

- - - d) The other duties and obligations indicated by the General Assembly of the Association.- - - - -

- - - - - **ARTICLE ELEVEN** - - - - -

- - - These are the rights of the Active Members, the following:- - - - -

- - - a) Participate with voice and vote in the Assemblies General of the Association.- - - - -

- - - b) Have priority to occupy management positions and advisory services for which they are designated by the General Assembly of the Association or the Board of Directors.- - - - -

- - - c) Have priority to represent the Association, prior appointment by the General Assembly of the Association or the Board of Directors, in the different organizations and events in which you participate.- - - - -

- - - d) The other rights indicated by the Assembly General of the Association.- - - - -

- - - - - **ARTICLE TWELFTH** - - - - -

- - - These are the rights of the Collaborating Associates following:- - - - -

- - - a) Participate with voice, but without the right to vote, in the General Assemblies of the Association.- - - - -

- - - b) Occupy management and advisory positions for which are designated by the General Assembly or the Board of Directors.- - - - -

- - - c) Represent the Association, upon appointment in the different organizations and events, of which participate that one.- - - - -

- - - d) The other rights indicated by the Assembly General and the Board of Directors.- - - - -

- - - - - **ARTICLE THIRTEENTH** - - - - -

- - - The quality of Associate in any of the classifications noted in the ninth article of these statutes, is acquired by the reasoned presentation that make the candidate a Founding and/or Active Associate who is in full enjoyment of his rights and the respective approval of the General Assembly of the Association.- - -

- - - - - **ARTICLE FOURTEENTH** - - - - -

- - - The General Assembly of Associates may regulate the

form, terms and conditions of admission and acceptance of
new Associates.- - - - -

- - - - - **ARTICLE FIFTEENTH** - - - - -

- - - The resignation or withdrawal of any Associate will
be made effective through written communication, signed by
the Associate in case of voluntary retirement or by the
Council Director if the Assembly has so agreed General of
the Association.- - - - -

- - - - - **OF THE ASSOCIATION ADMINISTRATION** - - - - -

- - - - - **ARTICLE SIXTEENTH** - - - - -

- - - The Association will be managed and directed by the
following organizations:- - - - -
- - - a).- The General Assembly of the Association.- - -
- - - b).- The Board of Directors.- - - - -

- - - - - **ARTICLE SEVENTH** - - - - -

- - - Any associate who stops belonging to the
Association, voluntarily or by agreement of the Assembly
General for lack of compliance with the statutes social
and other obligations, will not have the right to claim
the return of the part of the capital that has
contributed.- - - - -

- - - - - **ARTICLE EIGHTEENTH** - - - - -

- - - The General Assembly of the Association is the body
supreme of the Civil Association and will be made up of
the founding associates and active associates, who are day
in the fulfillment of their obligations, which They will
have the right to participate with voice and vote in it.-

- - - - - **ARTICLE NINETEENTH** - - - - -

- - - The General Assembly will be chaired by the
President of the Board of Directors of the Association or,
failing that, by the person designated by the Board of
Directors or by that that the Assembly itself elects and
will serve as Secretary designated by the Assembly.- - -

- - - - - **ARTICLE TWENTIETH** - - - - -

- - - For the validity of the resolutions adopted by the
General Assemblies of the Association, Ordinary or

Extraordinary, a quorum of attendance of the (75%) seventy-five percent of Associates Founders and Active under the first call of (51%) fifty-one percent of the Associates Founders and Active under the second call and by the number of Founding and Active Associates who attend under third call. In all the cases the resolutions will be taken by majority vote of the active attending Associates.

- - - - - **ARTICLE TWENTY-FIRST** - - - - -

- - - The calls for the General Assemblies of Associates, both Ordinary and Extraordinary, will be through written communication sent to all Founding and Active Associates at home registered in the Association or by means of a communication published on the Internet on the Association's Website or Failing that, by publishing in one of the newspapers of the Association's domicile, with a advance notice of no less than (7) seven calendar days the date indicated for this purpose, including in the order of the day, the matters to be discussed, indicating the day, the time and the place where it should be held.-

- - - - - **ARTICLE TWENTY-TWO** - - - - -

- - - From each General Assembly of the Association, will draw up a record, which must be signed by the President and Secretary of the Assembly, and register in the Book of Minutes of Assemblies that must be kept Association.- - -

- - - - - **ARTICLE TWENTY-THIRD** - - - - -

- - - The General Assembly of Associates, in addition to what provided for in these statutes, in an exemplary manner more non-limiting, will have the following powers:-

- - - a) Determine the general policy for driving of the Association.- - - - -

- - - b) Elect the members of the Board of Directors by indefinite period without prejudice to the possibility of revoking said appointments when, in his opinion, there is cause justified to do so.- - - - -

- - - c) Approve or reject the amendments to the statutes that the Board of Directors recommends, by voting

affirmative of two thirds of its members. - - - - -

- - - d) Approve the Annual General Budget of the Association. - - - - -

- - - e) Approve the Balance Sheets for the year presented the Board of Directors. - - - - -

- - - f) Indicate the salaries of officials who have permanent functions within the Association. - - - - -

- - - g) Authorize the entry or withdrawal of Associates in all modalities and characteristics. - - - - -

- - - h) Interpret these statutes and dictate their own regulations. - - - - -

- - - i) The other functions that it deems necessary for the good management of the Association, the achievement of its objectives and the optimal realization of your plans, programs, projects and activities. - - - - -

- - - - - **ARTICLE TWENTY-FOUR** - - - - -

- - - The election of each of the members of the Council Director, will be carried out by the General Assembly of Associates and It will be done separately and by secret ballot, holding their positions for an indefinite period, and the same General Assembly of Associates to revoke said appointments if it deems appropriate. - - - - -

- - - - - **ARTICLE TWENTY-FIFTH** - - - - -

- - - The Board of Directors is a collegiate body that will be made up of Founding or Active Associates (not They cannot be employed or receive any salary in the Association), whose mission will be the supervision of the social programs carried out by the Association, exercise fiscal responsibility and supervise management Association Executive. - - - - -

- - - - - **ARTICLE TWENTY-SIX** - - - - -

- - - The Board of Directors will be made up of a President, a Secretary, a Treasurer and a member, and they will be appointed by the General Assembly, will agree on its own regulations and way of organizing, in his faults temporary or transitional, the President of the Council

Director will be replaced by another of the members of the Council elected for this purpose.-----

----- **TWENTY-SEVENTH ARTICLE** -----

- - - The definitive or temporary absences of one or more of the members of the Board of Directors will be replaced by designation of the same, choosing Founding Associates or Assets of the Association while the Assembly meets General. It is understood that there is a permanent absence of a member when you stop attending more than three meetings consecutive ordinary meetings, or to five meetings in alternated without justified cause, in the course of a year.-----

----- **ARTICLE TWENTY-EIGHTH** -----

- - - The Board of Directors will meet ordinarily at least once every three months and extraordinarily when called by its President and/or the Executive Directorate.-----

----- **ARTICLE TWENTY-NINTH** -----

- - - The Board of Directors will have the following functions and powers: -----

- - - a) Help define the mission and purpose of the Association, supporting program planning and organization projects.-----

- - - b) Take care of the integrity and congruence of the organization, supervising that all members of the Association comply with what was agreed by the Assemblies General and what is stipulated in these Statutes.-----

- - - c) Prepare an economic strengthening plan that ensure the acquisition of the necessary resources so that the Association can meet its objectives.-----

- - - d) Approve the Financial Plan (or budget of income and expenses) of the Association presented by the President of the Board of Directors and protect heritage of the Association.-----

- - - e) Strengthen and promote the public image of the Association.-----

- - - f) Approve the Administrative structure of the

organization and give consent to any appointment remunerated by the Board of Directors of the Association.-- - g) Supervise and advise the Board of Directors of the Association.- - - - -

- - - - - h) Support and evaluation of all people with executive responsibilities within the Association.- -

- - - - - i) The powers conferred on the Board of Directors may be expanded or restricted at any time by the General Assembly of the Association.- - - - -

- - - - - **OF THE LEGAL REPRESENTATION OF THE ASSOCIATION** - - - - - **THIRTYTH ARTICLE** -

- - - - - The Association's Board of Directors will be the Legal Representative of the Association, with the legal and representative powers that are indicated at continuation:- - - - -

- - - - - Enunciatively and not limitedly, they will act with the following powers and faculties.- -

- - - - - **I.- GENERAL POWER FOR LAWSUITS AND COLLECTIONS,**

in the terms of the first paragraph of Article (2,435) two thousand four hundred thirty-five of the Civil Codes for the State of Durango and its correlative in each and every one of the Civil Codes of the States of the Republic Mexican, with all general powers including those powers that require a special clause, in accordance with Article (2,468) two thousand four hundred sixty-eight of the Civil Code for the State of Durango, and its correlatives in all the other States of the Mexican Republic, among which in a way Enunciative but not limiting, the following are cited: Exercise all kinds of rights and actions before any Authority of the Federation, of the States, District Federal and Municipalities, whether in jurisdiction voluntary, contentious or mixed and whether they are Authorities Civil, Judicial, Administrative, Criminal or of the Work, whether Local or Federal; present and answer demands, raise exceptions, counterclaims, submit to any

jurisdiction, articulate and absolve positions, recuse magistrates, judges, secretaries, experts and other persons who by law are objectionable, give up on the main thing, on your interests, on any appeal and even the Amparo Trial, which may promote as many times as you deem appropriate; give up everything type of evidence, recognize signatures and documents, object these and accuse them of being false, where appropriate, compromise and commit to arbitrators, attend meetings, proceedings any kind, make postures, bids and improvements and obtain for the principal the award of all types of assets and, by any title, subrogate rights; make accusations, complaints and complaints criminal nature and become an contributing party to the Public Ministry, causes in which it may exercise the broadest powers that the case requires.- - -
- - - They will also have the necessary representation in the terms of Article (11) eleven of the Federal Law of the Labor, so they will be the employer representatives and In this concept, they may oblige the association in its relations with workers, being able to exercise representation in any part of the Mexican Republic as appropriate, with broad powers, fulfilled and sufficient to defend the interests of the association in all types of labor lawsuits both individuals as well as collectives, which are promoted against of the grantor by one or some of the workers their service, and also to act in any conflict that any union may present, expressly authorizing them to reconcile, transfer and have settlements in any labor lawsuit; also for appoint arbitrators and arbitrators, reach agreements relevant to the claims in question, offer evidence, assert all kinds of exceptions and defenses that best favor the client, present witnesses, cross-examine and cross out those on the opposite side, articulate and absolve positions, interpose and make use the resources and instances that favor the defense, dissatisfied, resort to interlocutory or awards,

which could affect the principal, interpose or desist from direct or indirect protection, substituting in all or in part in favor of third parties is representation within the object and exclusive purpose of the present mandate or revoke such substitutions, also granting the mandate in the terms of the Articles (685) six hundred and eighty-five, (689) six hundred eighty-nine, (693) six hundred ninety-nine three, (695) six hundred ninety five, (761) seven hundred sixty-one, (776) seven hundred seventy-one six, (786) seven hundred eighty-six, (870) eight hundred seventy, (900) nine hundred, (982) nine hundred and eighty-one two and other relatives of the Federal Labor Law in force, representation that may be exercised before all type of Authorities, including in matters related with the H. Mexican Institute of Sure Social, Infonavit, Fonacot and all kinds of Authorities Administrative. - - - - - **II.- GENERAL POWER FOR ADMINISTRATION ACTS**, of according to the second paragraph of Article (2,435) two one thousand four hundred thirty-five of the Civil Code for the State of Durango, and its correlative in all the others States of the Mexican Republic, with powers to be able to perform all operations inherent to the object of the association, having among others that are mentioned in enunciative but not limiting form: That of celebrating contracts, whether lease, loan, works, constructions, provision of services, work individual or collective, or of any other nature that demand the exercise of the broadest powers administrative; receive and make payments, issue receipts, settlements and sign all documents and instruments in that each and every one of the acts that execute, with the clause, deadlines, prices and other conditions that it deems appropriate, as well as those of appear before any Federal, State or Municipal, in which the association has intervention, and before the Mexican Social Security Institute (IMSS), Secretary of Treasury and Public Credit (SHCP), National

Fund for Workers Consumption (FONACOT) and before the Institute of the National Housing Fund for Workers (INFONAVIT) and before the Secretary of Economy (HE).- - -

- - - - - **III.- VERY BROAD GENERAL POWER TO EXERCISE ACTS OF DOMAIN**, according to the third paragraph of the repeated Article (2.435) two thousand four hundred thirty-five of the Civil Code for the State of Durango, and its correlatives in all other States of the Mexican Republic, with all the powers of the owner, among which in a way enunciative, but not limiting, are mentioned: Those of celebrate all types of contracts and carry out any act, even when it involves disposal or encumbrance of assets movable or immovable, as well as to grant all kinds of guarantee.- - - - -

- - - **IV.- POWER TO GRANT, SUBSCRIBE, ENDORSE AND GUARANTEE CREDIT SECURITIES**, in terms of Article (9th) ninth of the General Law of Credit Titles and Operations, as well as for Openings and Cancellations in the name of the association all types of Bank Accounts with any institution, as well as to make deposits and draw against them without any limitation regarding the amount, and may also designate people who work against them themselves, and to carry out operations electronically at through the internet.- - - - -

- - - **V.- POWER TO SUBSTITUTE** this in whole or in part mandate and to grant and revoke general powers or specials, with the understanding that it must always the exercise of the same shall be preserved.- - - - -

- - - **VI.-** To celebrate agreements with the Federal Government in the terms of the first and (IV) fractions fourth of Article (27) twenty-seven Constitutional, its Organic Law and its Regulations.- - - - -

- - - **VII.-** Execute the agreements made by the general Assembly.- - - - -

- - - **VIII.-** Appoint one or more general directors, general managers, managers or deputy managers of the

association, and monitor their efforts by granting them the general or special powers that you consider appropriate in order to establish their powers as well as indicate to them their obligations, representations and remunerations, being able to freely remove them and revoke the powers that confers upon them.- - - - -

- - - IX. Delegate one or more of its powers to persons outside the association and revoke the powers to delegate.- - - - -

- - - X. Appoint general or special representatives, association representatives, agents, factors and employees thereof, granting them general powers or special ones that they consider convenient for the purpose of establish their faculties, as well as indicate their obligations, representations and remunerations, and may freely remove them and revoke the powers granted to them confer.- - -

- - - XI. Form the internal regulations of the association.- - - - -

- - - XII. Call for Ordinary General Assemblies and extraordinary shareholder meetings and to execute their resolutions.- - - - -

- - - - - DISSOLUTION AND LIQUIDATION - - - - -

- - - - - ARTICLE THIRTY-FIRST - - - - -

- - - The decision to dissolve the Association will be taken by the General Assembly of the Association, through vote that represents at least (75%) seventy-one five percent of the Founding and Active Associates.- - - - -

- - - After the dissolution determination has been made, The General Assembly will appoint two liquidators who will proceed in accordance with the legal provisions that govern the matter.- - - - -

- - - - - ARTICLE THIRTY-SECOND - - - - -

- - - In case of dissolution or liquidation of the association, all of its assets, including the public support and incentives will be allocated to people moral entities authorized to receive deductible donations of the

Income Tax, in the intelligence of that goods acquired with support and stimuli public, as well as, where appropriate, the remainders of said supports and stimuli, will be allocated to one or several authorized institutions for receive donations deductible under the terms of the Tax Law on Income that is registered in the Federal Registry of Civil Association Organizations. It stipulated in this provision is of a nature irrevocable.-

- - - - - OF THE REFORMS TO THE STATUTES - - - - -

- - - - - ARTICLE THIRTY-THIRD - - - - -

- - - The statutes may be added or modified when so determined by (75%) seventy-five per percent of the Associates registered in the Registry of the Association expressing its consent at the Assembly General. - - - - -

- - - - - ARTICLE THIRTY-FOURTH - - - - -

- - - In everything not provided for by the statutes, they will be the relative provisions of the Civil Code are applicable in force in the State of Durango. - - - - -

- - - - - ANNEX LETTER "B". - - - - -

AUTORIZACIÓN DE USO DE DENOMINACIÓN O RAZÓN SOCIAL

SECRETARÍA DE ECONOMÍA - DIRECCIÓN GENERAL DE NORMATIVIDAD MERCANTIL

Clave Única del Documento (CUD)

A202207282134478986

En atención a la reserva realizada por OCTAVIANO RENDON ARCE, a través del sistema establecido por la Secretaría de Economía para autorizar el uso de Denominaciones o Razones Sociales, y con fundamento en lo dispuesto por los artículos 15, 16 y 16 A de la Ley de Inversión Extranjera; artículo 34, fracción XII bis de la Ley Orgánica de la Administración Pública Federal; artículo 69 C Bis de la Ley Federal de Procedimiento Administrativo, artículo 38, fracciones XXII y XXIV del Reglamento Interior de la Secretaría de Economía y el artículo 17 del Reglamento para la Autorización de Uso de Denominaciones y Razones Sociales, SE RESUELVE AUTORIZAR EL USO DE LA SIGUIENTE DENOMINACIÓN O RAZÓN SOCIAL: GENERAL SERVICES-DEFENSORES DE LOS DERECHOS HUMANOS & ABOVE. Lo anterior a partir de la fecha y hora que se indican en la sección de Firma Electrónica más adelante.

Los términos con mayúscula inicial contenidos en la presente Autorización tendrán el significado que se les atribuye a dichos términos en el Reglamento para la Autorización de Uso de Denominaciones y Razones Sociales, con independencia de que se usen en plural o en singular.

De conformidad con lo dispuesto por el artículo 18 del Reglamento para la Autorización de Uso de Denominaciones y Razones Sociales, la presente Autorización se otorga con independencia de la especie de la persona moral de que se trate, de su régimen jurídico, o en su caso, de la modalidad a que pueda estar sujeta.

De igual forma, se hace de su conocimiento que la emisión de la "Autorización de Uso de Denominación o Razón Social" resulta ser un trámite "pre-constitutivo", ya que, de conformidad con lo establecido en los artículos 15, 16 y

16 A de la Ley de Inversión Extranjera; 34 fracción XII bis de la Ley Orgánica de la Administración Pública Federal;

38 fracciones XXII, XXIV y XXXIII Inciso e) del Reglamento Interior de la Secretaría de Economía; 2 fracciones I, IV y IX, 3 último párrafo, 17 y 22 del Reglamento para la Autorización de Uso de Denominaciones y Razones Sociales, compete a esta Autoridad Administrativa únicamente autorizar el uso de denominaciones o razones sociales; lo que se traduce en que la presente resolución solo autoriza a su solicitante el derecho para hacer uso de las palabras, números y/o símbolos para conformar el nombre de una persona moral que pretende ser constituida a partir de su otorgamiento, o bien, para formalizar el cambio de denominación o razón social de una persona moral ya existente.



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Clave Única del Documento A202207282134478986

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SECRETARÍA DE ECONOMÍA - DIRECCIÓN GENERAL DE NORMATIVIDAD MERCANTIL

En ese sentido, se advierte que la presente resolución de ninguna forma autoriza, valida o acredita el ejercicio de actividades profesionales, el objeto social o giro comercial de las personas morales que pretenden ser constituidas a partir de su emisión, ni antes, ni durante el tiempo de vida de dichas sociedades o asociaciones.

En términos de lo dispuesto por el artículo 21 del Reglamento para la Autorización de Uso de Denominaciones y Razones Sociales, el Fedatario Público Autorizado o Servidor Público, o tratándose de las sociedades cooperativas, la autoridad, ante quien se constituya la Sociedad o Asociación correspondiente, o en su caso, ante quien se formalice el cambio de su Denominación o Razón Social, deberá cerciorarse previamente a la realización de dichos actos, que se cumple con las condiciones que en su caso resulten aplicables y se encuentren señaladas en la presente Autorización y en el referido Reglamento, y a su vez deberá cerciorarse de que la presente Autorización se encuentre vigente.

AVISO DE USO NECESARIO

De conformidad con lo dispuesto por el artículo 24 del Reglamento para la Autorización de Uso de Denominaciones y Razones Sociales, el Fedatario Público Autorizado o Servidor Público que haya sido elegido conforme al artículo 14 de dicho Reglamento, deberá dar el Aviso de Uso correspondiente a través del Sistema y dentro de los ciento ochenta días naturales siguientes a la fecha de la presente Autorización, a fin de hacer del conocimiento de la Secretaría de Economía de que ha iniciado el uso de la Denominación o Razón Social Autorizada por haberse constituido la Sociedad o Asociación, o formalizado su cambio de Denominación o Razón Social ante su fe.

En caso de que el Fedatario Público Autorizado o Servidor Público que haya sido elegido conforme al artículo 14 del Reglamento para la Autorización de Uso de Denominaciones y Razones Sociales no dé el Aviso de Uso conforme al artículo 24 de dicho Reglamento, éste podrá presentar previo pago de derechos, el Aviso de Uso de forma extemporánea en cualquiera de las oficinas de la Secretaría de Economía, dentro de los treinta días naturales contados a partir de la fecha en que concluyó el plazo de ciento ochenta días naturales siguientes a la fecha de la presente Autorización.

La Secretaría de Economía no reservará el uso exclusivo de la Denominación o Razón Social otorgada mediante la presente Autorización, en caso de ésta no reciba el Aviso de Uso en los términos antes señalados, y dentro del plazo establecido en el párrafo que antecede.

AVISO DE LIBERACIÓN

En caso de fusión o liquidación de la Sociedad o Asociación, o en el caso de cambio de Denominación o Razón Social de la misma, el Fedatario Público Autorizado o Servidor Público ante quien se formalizara dicho acto, deberá de dar, a través del Sistema y dentro de un plazo no mayor a treinta días naturales posteriores a la fecha de formalización del instrumento respectivo, un Aviso de Liberación de la Denominación o Razón Social.

Tratándose de sociedades cooperativas que se liquiden, extingan o cambien su Denominación o Razón Social ante alguien distinto de un Fedatario Público Autorizado, el representante legal de la sociedad cooperativa deberá solicitar por escrito el apoyo de la Secretaría de Economía para poder dar el Aviso de Liberación correspondiente.

MÉXICO



CO-MER
del Poder Judicial
de México

SE



Contacto:
Alfonso Reyes No. 30, Col. Hipódromo Condesa,
Del. Cuauhtémoc, Ciudad de México
Comunicador: (55) 5 729-9100

gob mx

SECRETARÍA DE ECONOMÍA - DIRECCIÓN GENERAL DE NORMATIVIDAD MERCANTIL

Lo anterior, con fundamento en el artículo 28 del Reglamento para la Autorización de Uso de Denominaciones o Razones Sociales.

RESPONSABILIDADES

De conformidad con lo dispuesto por el artículo 22 del Reglamento para la Autorización de Uso de Denominaciones y Razones Sociales las sociedades o asociaciones que usen o pretendan usar una Denominación o Razón Social tendrán las obligaciones siguientes:

- I. Responder por cualquier daño, perjuicio o afectación que pudiera causar el uso indebido o no autorizado de la Denominación o Razón Social otorgada mediante la presente Autorización, conforme a la Ley de Inversión Extranjera y al Reglamento para la Autorización de Uso de Denominaciones y Razones Sociales, y
- II. Proporcionar a la Secretaría de Economía la información y documentación que le sea requerida por escrito o a través del Sistema en relación con el uso de la Denominación o Razón Social otorgada mediante la presente Autorización, al momento de haberla reservado, durante el tiempo en que se encuentre en uso, y después de que se haya dado el Aviso de Liberación respecto de la misma.

Las obligaciones establecidas en las fracciones anteriores, deberán constar en el instrumento mediante el cual se formalice la constitución de la Sociedad o Asociación o el cambio de su Denominación o Razón Social.

La presente Autorización tiene una vigencia de 180 días naturales a partir de la fecha de su expedición, y se otorga sin perjuicio de lo establecido por el artículo 91 de la Ley de la Propiedad Industrial.

dictamen: 9100476 | REAO460702928 | OCTAVIANO RENDON

ARCE | SE RESUELVE AUTORIZAR EL USO DE LA SIGUIENTE DENOMINACIÓN O RAZÓN SOCIAL: "GENERAL SERVICES-DEFENSORES DE LOS DERECHOS HUMANOS & ABOVE" | DIMC520311EJ9 | MARIA DEL CARMEN GUADALUPE DIAZ MIRANDA | 28-07-2022 |

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MÉXICO



CO-MER
CONSEJO
DE NORMATIVIDAD
MERCANTIL

SE
SECRETARÍA DE
ECONOMÍA



Contacto:
Allanito Reyes No. 30. Col. Hipódromo Condesa
Del Cuauhtémoc, Ciudad de México
Commutador: (55) 5729-9230

gob mx

- 30 -

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MÉXICO



COFOMER
or Repres Represante

SE



Centaria
Alfonso Reyes No. 30, Col. Hipódromo Cometa,
Dist. Cuauhtémoc, Ciudad de México
Comitadur (55) 5729-9439

- - - ARTICLE (2,435) TWO THOUSAND FOUR HUNDRED THIRTY-ONE
FIVE OF THE CIVIL CODE OF THE STATE OF DURANGO. - - - - -

- - - In all general powers for lawsuits and collections
it will be enough to say that it is granted with all the
general powers and the special ones that require special
clause in accordance with the Law, so that they are
understood conferred without any limitation. - - - - -

- - - In the general powers to manage property, It will be
enough to express that they occur with that character so
that the agent has all kinds of administrative powers. - -

- - - In the general powers to exercise acts of domain it
will be enough for them to occur with that character for
the agent has all the powers of the owner, both in
regarding property as to do all kinds of efforts to defend
them. - - - - -

- - - When they want to limit themselves in the three
cases above mentioned the powers of the representatives,
The limitations will be stated, or the powers will be
specials. - - - - -

- - - Notaries will insert this Article in the testimonies
of the powers they grant.- - - - -

IT IS THE FIRST TESTIMONY TAKEN FROM ITS ORIGINAL THAT
WORKS IN THE OPEN PROTOCOL WHICH IS IN MY CHARGE, UNDER
THE NUMBER (48,179) FORTY-EIGHT THOUSAND ONE HUNDRED
SEVENTY-NINE, OF THE VOLUME NUMBER (1,962) THOUSAND NINE
HUNDRED AND SIXTY-TWO, VA IN (17) SEVENTEEN USEFUL PAGES
PROPERLY SEALED, CORRECTED, COLLABORATED ACCORDING TO THE
LAW: IS ISSUED IN THE CITY OF GÓMEZ PALACIO, STATE OF
DURANGO, FOR USES OF THE ASSOCIATION "GENERAL
SERVICES-DEFENSORES DE LOS DERECHOS HUMANOS & ABOVE"
ASOCIACIÓN CIVIL, AT (8) EIGHT DAYS FOR THE MONTH OF
AUGUST OF THE YEAR (2022) TWO THOUSAND TWENTY-TWO.- I GIVE
FAITH.- - - -

LIC. OCTAVIANO RENDON ARCE
NOTARY PUBLIC No. 3
AND FEDERAL REAL ESTATE ASSETS

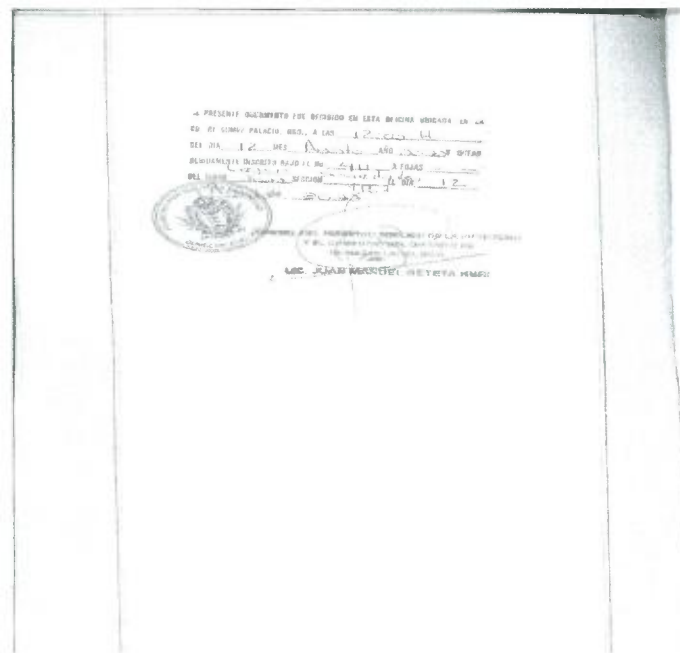


EXHIBIT-3

NOTICE OF APPEAL FORM

U.S. Department of Justice
Executive Office for Immigration Review
Board of Immigration Appeals

OMB# 1125-0002

**Notice of Appeal from a Decision of an
Immigration Judge**

<p>1. List Name(s) and "A" Number(s) of all Respondent(s)/Applicant(s):</p> <p style="text-align: center; font-size: 1.2em;">Landeros Lopez, Carlos Antonio Case# A034 266 469</p> <p style="font-size: 0.8em; margin-top: 10px;"> WARNING: Names and "A" Numbers of everyone appealing the Immigration Judge's decision must be written in item #1. The names and "A" numbers listed will be the only ones considered to be the subjects of the appeal. </p>	<p style="text-align: right; font-size: 0.8em;">For Official Use Only</p> <div style="text-align: center; margin-top: 20px;"> <p>2020 JAN 10 AM 8:35</p> <p>RECEIVED DEPARTMENT OF JUSTICE EXECUTIVE OFFICE FOR IMMIGRATION REVIEW OFFICE OF THE CLERK</p> </div> <div style="text-align: center; margin-top: 20px;"> <p>2019 DEC -9</p> <p>RECEIVED DEPARTMENT OF JUSTICE EXECUTIVE OFFICE FOR IMMIGRATION REVIEW OFFICE OF THE CLERK</p> </div>
-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

Sample Check or Money Order Here. Include Name(s) and "A" Number(s) on the face of the check or money order.

2. I am ☒ the Respondent Applicant ☐ DHS-ICE (Mark only one box.)

3. I am ☒ DETAINED ☐ NOT DETAINED (Mark only one box.)

4. My last hearing was at Immigration Court 10250 Rancho Rd. Alhambra California (Location, City, State)

5. **What decision are you appealing?**

Mark only one box below. If you want to appeal more than one decision, you must use more than one Notice of Appeal (Form EOIR-26).

☒ I am filing an appeal from the Immigration Judge's decision in *merits* proceedings (example: removal, deportation, exclusion, asylum, etc.) dated November 7th, 2019

☐ I am filing an appeal from the Immigration Judge's decision in *bond* proceedings dated _____ (For DHS use only: Did DHS invoke the automatic stay provision before the Immigration Court? ☐ Yes ☐ No.)

☐ I am filing an appeal from the Immigration Judge's decision *denying a motion to reopen or a motion to reconsider* dated _____

(Please attach a copy of the Immigration Judge's decision that you are appealing.)

Form EOIR-26
Revised Oct. 2018

Exhibit - B

Landeros Lopez Carlos Antonio
A034 266469-W2D-105-1U
Adelanto ICE Detention Center
10400 Rancho Road
Adelanto CA 92301

Nov. 27, 2019

U.S. Department of Justice
Executive Office for Immigration Review

2019 DEC -9 PM 3:23
CLERK OF THE COURT
U.S. DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA
SAN JOSE, CALIFORNIA

Clerk of the Court, good day, attached please find my 'Notice of Appeal', please can you docket it and send me a copy of the same after has been stamped, as well as the Form EOIR-26A for my fee waiver request, unfortunately here in this detention center we do not have access to such forms, and your office does not accept our premade forms requests, if we filed any form that it is not the official one ~~the~~ your court will be returned unfile... so please send me a copy of the Notice of Appeal - EOIR-26 - which I had borrowed from an inmate - as well the above request - thank you for your services and understanding.

Carlos A Landeros

Landeros Lopez Carlos Antonio

EXHIBIT-4

BIA's CLERK LEGAL INSTRUMENT



U.S. Department of Justice

Executive Office for Immigration Review

Board of Immigration Appeals
Office of the Clerk

Exhibit - C

5167 Leesburg Pike, Suite 2000
Falls Church, Virginia 22041

LANDEROS LOPEZ, CARLOS ANTONIO
A034-266-469
DHS CUSTODIAL OFFICER
10400 RANCHO RD
ADELANTO, CA 92301

DHS/ICE - Office of Chief Counsel
10400 Rancho Road
Adelanto, CA 92301

2020 JAN 10 AM 8:25

Name: LANDEROS LOPEZ, CARLOS ANTONIO

A 034-266-469

Type of Proceeding: Reasonable Fear Case

Date of this notice: 12/18/2019

Type of Appeal:

Filed By:

REJECTION OF APPEAL

This notice is to inform you that the appeal received by the Board of Immigration Appeals in the above-referenced case on 12/9/2019 is being rejected for the following reason(s):

- The required fee of \$110.00 or Fee Waiver Request form (Form EOIR-26-A) was not included

PLEASE NOTE

If you correct and resubmit this appeal, YOU MUST ATTACH THIS REJECTION NOTICE to your submission.

We have returned your appeal and all attachments to you for timely correction of the defects. THIS DOES NOT EXTEND THE ORIGINAL STRICT 30-DAY TIME LIMIT within which you must file your appeal. Where a stay attaches to the filing of an appeal, there is no automatic stay of deportation beyond the 30-day limit unless an appeal is properly filed at the Board.

Your appeal must be RECEIVED at the Clerk's Office at the Board of Immigration Appeals within the prescribed time limits. It is NOT sufficient simply to mail the appeal and assume your appeal will arrive on time. We strongly urge the use of an overnight courier service to ensure the timely filing of your appeal.

Any corrected appeal resubmitted after the 30-day time limit should be filed within 15 days of this notice and should include a request that the Board accept the appeal by certification. The Board will consider whether to certify each request in the exercise of discretion.

FILING INSTRUCTIONS

Use of an over-night courier service is strongly encouraged to ensure timely filing.

EXHIBIT-5

BIA's CLERK LEGAL INSTRUMENT



U.S. Department of Justice **Exhibit-D**

Executive Office for Immigration Review

Board of Immigration Appeals
Office of the Clerk

1100* Leesburg Pike, Suite 2000
Falls Church, Virginia 22041

LANDEROS LOPEZ, CARLOS ANTONIO
A034-266-469
DHS CUSTODIAL OFFICER
10400 RANCHO RD
ADELANTO, CA 92301

DHS/ICE - Office of Chief Counsel
10400 Rancho Road
Adelanto, CA 92301

Name: LANDEROS LOPEZ, CARLOS ANTONIO

A 034-266-469

Date of this notice: 1/16/2020

REJECTION OF APPEAL

This notice is to inform you that the appeal received by the Board of Immigration Appeals in the above-referenced case on 1/10/2020 is being rejected for the following reason:

o Case Appeal in LJ RFR determination

The Board does not have the authority to review reasonable fear determinations made by an Immigration Judge. See 8 C.F.R. § 1206.31(g)(1). However, you may file a petition for review within 30 days of the Immigration Judge's reasonable fear determination with the appropriate court of appeals. See section 242 of the Immigration and Nationality Act, 8 U.S.C. § 1252.

cc:

Userteam

EXHIBIT-6

NOTICE OF APPEAL P. 2

6. State in detail the reason(s) for this appeal. Please refer to the General Instructions at Item F for further guidance. You are not limited to the space provided below; use more sheets of paper if necessary. Write your name(s) and "A" number(s) on every sheet.

First and most important take notice that I am not appealing the Reasonable Fear-8 CFR § 1208.31(a)(2) or the Credible Fear-8 CFR § 1208.30(a)(2)(iv)(A), but a violation to my Constitutional right-Sixth Amendment that took place within the interview-deposition with the government. Within my brief I will present the supporting material facts for the substantiation of such constitutional violation.

(Attach additional sheets if necessary)

! WARNING: You must clearly explain the specific facts and law on which you base your appeal of the Immigration Judge's decision. The Board may summarily dismiss your appeal if it cannot tell from this Notice of Appeal, or any statements attached to this Notice of Appeal, why you are appealing.

7. Do you desire oral argument before the Board of Immigration Appeals? ☐ Yes ☐ No
8. Do you intend to file a separate written brief or statement after filing this Notice of Appeal? ☒ Yes ☐ No

! WARNING: If you mark "Yes" in item #7, you should also include in your statement above why you believe your case warrants review by a three-member panel. The Board ordinarily will not grant a request for oral argument unless you also file a brief.

If you mark "Yes" in item #8, you will be expected to file a written brief or statement after you receive a briefing schedule from the Board. The Board may summarily dismiss your appeal if you do not file a brief or statement within the time set in the briefing schedule.

9.

Sign
Here



X

Carlos Luber
Signature of Person Appealing
(Attorney or Representative)

11-29-2019

Date
2020 JAN 10 AM 8:25
Form FOIR-2r
Revised Sept. 2019

EXHIBIT-7

**Page of the List of Pro Bono legal
Services Providers**

* Non Profit Organization
 ** Referral Service
 *** Private Attorneys

List of Pro Bono Legal Service Providers
<http://www.justice.gov/eoir/list-pro-bono-legal-service-providers>
Adelanto Immigration Court

Updated January 2019

Adelanto, California	
Esperanza Immigrant Rights Project* Catholic Charities of Los Angeles 1530 James M Wood Boulevard Los Angeles, CA 90015 Tel: (213) 251-3505 Fax: (213) 487-0986 www.esperanza-la.org <ul style="list-style-type: none"> • Mon-Fri 8:30am-5:30pm • Serving counties of Los Angeles, Orange, Riverside, San Bernardino, Ventura, Kern, & Santa Barbara • Assist in various forms of immigration relief, victims of crime • Reduced fee, nominal fee, or pro bono depending on need and grant availability • Languages: Spanish or interpreter services • Detention facility speed dial code: 6554 	Legal Aid Foundation of Los Angeles (LAFLA)* 1550 West 8th Street Los Angeles, CA 90017 5228 Whittier Boulevard Los Angeles, CA 90022 601 Pacific Avenue Long Beach, CA 90802 1640 5th Street, Suite 124 Santa Monica, CA 90401 7000 S. Broadway Los Angeles, CA 90003 Tel: (800) 399-4529 Fax: (213) 640-3850 www.lafla.org <ul style="list-style-type: none"> • Respondents must reside in Los Angeles County • Respondents must be low-income • Languages: Chinese (Cantonese & Mandarin), Farsi, Khmer, Korean, Russian, Spanish, & Vietnamese • Interpretation for additional languages available upon request
Human Rights First** 333 South Hope Street, 42nd Floor Los Angeles, CA 90071 Tel: (213) 294-2548 laprobono@humanrightsfirst.org www.humanrightsfirst.org <ul style="list-style-type: none"> • Represents indigent individuals seeking asylum. • Asylum applicants should call and leave a message. No walk-ins. • Represents detained and non-detained individuals before the Los Angeles and Adelanto Immigration courts, as well as the Los Angeles Asylum Office. • Languages: Spanish, others as needed 	

Disclaimer: As required by 8 C.F.R. § 1003.61, the Executive Office for Immigration Review (EOIR), Office of the Director, Office of Legal Access Programs maintains a list of organizations and attorneys qualified under the regulations who provide pro bono or free legal services. The information posted on this list is provided to EOIR by the Providers. EOIR does not endorse any of these organizations or attorneys. Additionally, EOIR does not participate in, nor is it responsible for, the representation decisions or performance of these organizations or attorneys.

EXHIBIT-8

**Immigration's National Detainee
handbook page 12**

ICE detainees may usually:

- Take part in their religious practices;
- Wear approved religious headwear and garments, and
- Have other approved religious property.

The facility cannot limit these unless there is a specific documented threat to persons involved in these practices or activities.

(IMPORTANT!) You must ask the facility for approval of any hard-covered religious book. Unless you get approval, all religious books must be soft-covered.

COMMISSARY OR VENDING MACHINES

Your facility may have a store, called a commissary, or vending machines. If your facility has this service, you do not have to buy anything if you do not want to. If you want to use the store, check your local rules first. Detainees do not have a right to use the store.

Do I have to buy basic toiletries from the commissary?

No. Your facility must give you basic toiletries and hygiene products, such as soap, shampoo, sanitary pads, and toothpaste.

What if I bought some items, but I got transferred or removed before they were delivered?

The facility does not have to send you the items or give you a refund if you are transferred or deported. But the facility may give you a refund before you leave. See your facility's local rules.

VOLUNTARY WORK PROGRAM

If your facility has a volunteer work program, you may be able to volunteer to work. However, many facilities do not allow ICE detainees to participate in their work programs.

Will I get paid for my work?

If you participate in the voluntary work program at your facility, you will get at least \$1 for each day you work, not for each assignment. You will get paid at the end of every day you work, unless your facility has a different way of paying detainees. For example, some facilities will pay everything that you are owed before you are transferred or released. Check your facility's local rules.

How often will I get paid?

Most facilities pay detainees every day. Your facility may use another system where you get paid before you are transferred or released.

How many hours can I work?

You cannot work more than eight hours per day or 40 hours a week.

What are the requirements for the work program?

To take part in this program, you must:

- Sign a voluntary work program statement;
- Complete any work-related training;
- Follow all dress, grooming, and hairstyle requirements for your work assignment;
- Work the schedule assigned to you; and
- Do your assigned work satisfactorily.



Can I be fired from the Voluntary Work Program?

Yes, you can be taken out of this program if you miss work without permission, or you do not do your work satisfactorily.

Will I get paid for keeping my living area clean?

No. You must keep areas that you use clean, including your living area and any general-use areas that you use. If you do not keep your areas clean, you may be disciplined. It is up to you to know the rules for the work program. Also see your facility's local rules.

LIBRARY

Most facilities have library materials similar to what you would find at a school or community library. The facility considers the detainees' needs, interests and abilities when deciding on its materials.

Can I go to the library at any time?

No. See your facility's local rules for library use. Each facility's library has a schedule for using and checking out materials. Please give other detainees a chance to read library materials. Make sure that you take care of the materials you check out and return them on time.

ATTENDING OTHER COURT HEARINGS (NON-IMMIGRATION)

Can I attend a court hearing that has been scheduled for me in another case (i.e., not related to my immigration case)?

If you have a court hearing scheduled for you in another case (for example, if you are currently involved in a criminal proceeding or child custody case), ask your ICE officer about how you might be able to take part in your hearing. In some cases, ICE may be able to escort you to the court hearing or arrange for your participation through a video conferencing system.

REQUESTS TO MARRY

If you want to get married while you are at the facility, you (or your lawyer) must send a written request to the housing area officer or ICE officer, who will give it to the facility administrator or the ICE field office director.

Your written request must confirm that:

- You meet the legal requirements to marry;
- You are mentally competent to marry; and
- Your future spouse will certify they will marry you.

EXHIBIT-9

EMERGENCY MOTION COVID-19

United States Court of Appeals
For The Ninth Circuit

Carlos Landeros
Petitioner

Case # 19-72855

v

William P Barr - U.S.
Attorney General
Respondent

Emergency Motion For
Extraordinary Circumstance
Petitioner's life in Danger


Comes Now, Carlos Landeros (Petitioner) pro se, hereby, pursuant to his right to be Safe, his right to protect his ~~life~~ life, does Move before This Honorable Court respectfully requesting to Consider The seriousness of The "COVID-19" dilemma - this National emergency, and based on Petitioner's place of Confinement, granting him therefore immediate release. In Support Petitioner States the following

Petitioner's opening brief is due by April 28, 2020. The answering brief is due by June 29, 2020. The reply brief is due within 21 Days after service of the answering brief. Four months in process under civil detention on an Institution that is deficient - Medically inefficient.

We are, according to the President, under National emergency, due to The "COVID-19"... therefore ordered the people not to be more than ten together, here we are more than 70 people together... life threatening situation.

Petitioner have a Sister-Branda Olsen - home owner for over ten years - located at 4 Pueblo Vista, Palm Springs CA 92264. Tel: 760 343-6034 ; Armando Landeros, Brother, 641 Desert View, Palm Springs CA 92264. home owner for over 20 years. Tel 760 408-1796. So Petitioner has family here in California, so due to this extraordinary emergency with Coronavirus disease and the Danger Conditions of his place of Confinement and his right to be Free From danger will be reasonable and a requirement of Justice to be immediately release... of course under the Conditions this Honorable Court Consider proper...

Petitioner therefore, respectfully request to this Honorable Court to Consider this Extraordinary Circumstances and the Stated Facts - Granting him therefore his immediate release - under the Conditions this Honorable Court Considers to be reasonable and proper.

Executed This 22 day of March 2020 
Carlos Landeros